

Tuesday, January 13, 1976

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. Walter Mays, pastor of Ray of Hope Church.

Minutes of the regular meeting held on December 23rd 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, 1975.

From the City Treasurer:-

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

From the City Auditor:-

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

A report of cash discounts saved during month of December, 1975 totaling \$ 334.70.

From the Data Processing Manager:-

A report of water, sewer & refuse accounts, meters read, installations, cut delinquents, complaints, re-reads, etc. for month of December, 1975.

✓ A communication was read from Glenn C. Wilkins & Associates, accompanying final plats for Section 9 of Holiday Hills Subdivision, and a request that they be referred to the proper officials. City Manager Milam pointed out the area on a map, noting its location as being the extreme northwest corner of the City between Lee Avenue & Seventh Street. Councilman Green moved that the plats be referred to the City Planning Commission for study and recommendation, which motion upon being seconded by Councilman Dingle-dine, was adopted by a unanimous vote of Council.

✓ An invitation was extended by the Shenandoah Valley Travel Association for Council to submit nominees for 1976 Board of Directors, by January 19th. Mayor Erickson asked members of Council to inform the City Manager of any suggestions they may have.

✓ Manager Milam presented a communication from the Upper Valley Regional Park Authority requesting to bring the site development plan for Grand Caverns to a meeting of City Council, which plan had previously been brought to the public and advertised. Councilman Green offered an opinion that the Governing Body should see the plan. Following a brief discussion, the City Manager was asked to contact the Authority concerning presentation to Council.

✓ City Manager Milam presented and read a letter dated January 8, 1976 from Mr. George M. Sayre, Executive Vice-President of Cassco Ice & Cold Storage, addressed to the Superintendent of Water & Sewer, requesting permission for a 2" water tap for domestic supply and a tap for the sprinkler system to serve a new refrigerated warehouse on Pleasant Valley Road, approximately 200 yds south of their present refrigerated facility. The City Manager reminded Council that permission of the governing body was required prior to water taps on this particular line, and noted that Superintendent Loker had recommended approval of the request from Cassco. Following a brief discussion, Vice-Mayor Denton moved that the request be granted, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ A letter from T.O. Albrite was presented and read, tendering his resignation as Civil Defense Coordinator for the City of Harrisonburg, effective January 5th, in that his new job with the ABC Board would require him to be out of the City a good deal of the time. Mayor Erickson noted that Tom Albrite had served in this capacity for a number of years, but would not be able to function here with so much of his time being spent out of the City. He pointed out that under the state code, the Coordinator should be employed by the City (in an official capacity) as this was felt to be necessary. Although some volunteers have asked to fill this position temporarily, the Mayor asked members to give this some thought for a few weeks, keeping in mind that a staff type person should be considered, with our funds of 50% supporting him in this position.

✓ With regard to a prior request from the Morrison House Committee for Council to either underwrite moving of the house from N. Liberty St. to Westover Park, or make a loan of \$ 25,000. to Hearthstone Corporation, City Attorney Lapsley, following investigation, reported that a loan made by the City could be attacked on several different grounds. On the other hand, as far as underwriting the moving of the house, the City would be lending its credit, on which he could find nothing which would make this illegal. How the credit could be secured would have to be worked out. Mr. John Zirkle, Chairman of the Committee, reported that since the last meeting when this request had been made, total cash contributions recorded to date are approximately \$ 5,000., with pledges in the neighborhood of \$ 3,000. He said he felt assured that money would be forthcoming for both the moving of the house and maintenance. He asked that the City Manager work out details with Hearthstone Corp. Vice-Mayor Denton questioned whether the City would want to do something with this house during this bicentennial year in that it is the only Virginia historic landmark listed for Harrisonburg. He suggested that the matter be referred to the City Manager for evaluation, and that he bring back some information and a possible recommendation, or some line of direction for Council. City Manager Milam informed Council that following discussions with Planning Director Sullivan and Building Official Byrd, it was felt that they may contact Wetsel Seed Company, owners of the Morrison House, regarding the possibility of leaving the house on its present foundation and suggesting to them that it stand as an agricultural museum, which would be appropriate in that the owners are a seed company. Mr. Zirkle said that the owners have plans for the area which do not include the structure, and that they are willing to move the house under a deed of trust, which would be most difficult in that it would be moved to city property. The matter was discussed at length with one primary concern of Council being that of operational cost of the project at a later date. Councilman Dingle-dine moved that the City Manager pursue the matter along the lines of leaving the house on its present foundation, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ ~~With~~ ^{With} regard to the City Sewage Treatment Plant which has been overloaded for the past several years

with hydrolic and BOD, and on which correspondence had been received from the State Water Control Board and letters written back to the Board by the City Manager, Council was informed that a request was made last September to amend the City's permit for operation of the plant by increasing the plant limit from the present 2.75 million gallons of waste water per day, to 3.25 million gallons. Although the new Regional Sewer Plant may be in operation before a new permit could be issued for the City's plant, Manager Milam noted that the City could be subject to fines if the application process of the Water Control Board is not followed. Correspondence from the Board requires that the requested amendment to the permit be advertised in the local newspaper. If no objections are raised within 30 days following advertisement, the NPDES permit would be amended. According to the City Manager, Sewer Department personnel feel that it would be to the advantage of the City to publish the notice. Following discussion, Councilman Green moved that the City Manager be authorized to advertise the requested permit amendment, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ Council was informed by the City Manager that application had been filed, prior to the January 13th deadline for federal assistance through the Department of Housing and Urban Development Community Block Grant Program in the amount of \$ 725,000. (\$125,000. local matching funds) for the purpose of acquiring the Kavanaugh Hotel building on N.Main St. for conversion into housing for persons with low and moderate income. He noted that this would be somewhat contrary to plans being made by the Downtown Development Committee, in that they anticipate the present hotel for commercial use. Manager Milam said he had discussed the proposal with some of the Hotel owners, who favor the application for funds. If, however, HUD should not have these funds available for the City of Harrisonburg, application will be filed for a lesser amount for the widening of Washington Street from Main Street eastward to Simms Park area, costing in the neighborhood of \$ 200,000. The report was for information only.

✓ Councilman Dingledine moved that an 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, be approved for second and final reading, a first reading having been approved on December 23, 1975, 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.

✓ Vice-Mayor Denton moved that an appropriation in the amount of \$ 3,473.82 requested by the School Board Office in order to re-appropriate a refund from Zirkle & Zirkle, in that an invoice had been paid twice, be approved for second and final reading, a first reading having been approved on December 23, 1975, 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 Parks & Recreation for approval of a supplemental appropriation in the amount of \$ 3,476.94 representing participants' wages for the month of November 1975 as per agreement with the Va. Employment Commission under CETA-Title II and Title VI (A) funds. Councilman Cline moved that the appropriation be approved for a first reading, and that:-

\$ 1,642.94 chgd.to: General Fund (1005) Recoveries & Rebates- Non.Revenue Receipts.

1,834.00 chgd.to: General Fund (1005) " " " " " "

1,834.00 approp.to: General Fund (11020-12.00) Parks & Playgrounds- Wages

578.66 approp.to: General Fund (11020-12.01) CETA-Title II, Rec. Supv.

464.28 approp.to: General Fund (11020-12.02) CETA-Title II, Ath. Supv.

400.00 approp.to: General Fund (11020-12.03) CETA-Title II, Park Security Officer

200.00 approp.to: General Fund (11020-12.04) CETA-Title II, Maint. Man.

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

✓ The following recommendation submitted by the Planning Director from a meeting of the Commission held on November 19th, was read by the City Manager, which recommendation had been presented at the last regular meeting and action on same deferred, pending further information re maintenance of the fence around holding pond:-

"...The Director presented Final Plans for Sections 1 and 2, Northfield Estates Subdivision, located on the former Joseph farm on East Washington Street extended. Mr. Sullivan reported that Section 1 proposed 40 lots to be developed with 20 duplex homes plus a 30,560 sq.foot 'common green area' which will provide required open space under the R-4 Planned Unit zone. Developers James F. Sheehan of Silver Springs, Md., and Kenneth Patrick of Annapolis, Md., presented Section 1 and the street profile and grade drawings to the Commission in May 1975. The Commission requested a Deed of Dedication, conveying to the City a 25,238 sq.foot strip of land along E.Washington St., plus a Homeowners Association document, similar to the Reherd Acres document approved earlier. These requests have been met by the developers.

The Director also explained the Final Plan for Section 2 showing 59 townhouse lots and 71,970 sq.feet of 'common green area.' Mr. Sullivan reviewed the Subdivision Review Sheet dated October 22, 1975 and reported that sewer, water and storm drainage plans have been accepted by the Engineering Department, with the recommendations that a holding pond plan be studied by the local Soil Conservation Office, since the City's Soil & Erosion Control Ordinance is now in effect. The proposed street grades and profiles for Northfield Court and Northview Drive have also been okayed, and a Homeowners Association document for Section 2 will be worded as the Section 1 document, which was copied from the Reherd Acres document, primarily designed to assure proper use and maintenance of the common green areas in the R-4 zone.

Mr. Milam moved that the Final Plan for Section 2 of Northfield Estates be

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approved (Section 1 having been approved last May), 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..."

City Manager Milam reported that a letter had been received today from Charles S. McNulty, III, Attorney, advising that Northfield Estates had agreed to post performance bonds for construction of Northview Drive and Northglen Lane situated within Sections 1 & 2 of the development. These bonds would be based upon values to be supplied by the City Engineering Department and would be prior to any construction. The letter noted further that Northfield Estates certifies that they will fence the surface water retention pond planned in connection with Sections 1 and 2. The attorney, present in the meeting, said that it would be agreeable for the City to make a long term arrangement for fencing & maintenance of the holding pond. City Attorney Lapsley said that it should be a condition that the fence be erected and maintained by Homeowners Corporation. Assistant City Manager Driver suggested that building permits be withheld until the bonds have been posted, in that two intricacies will be involved in the easement, namely:- Northfield Estates and Northfield Commercial. Attorney McNulty, upon being questioned regarding participation of home owners in the corporation, reported that restrictions placed upon owners would require their participation. After further 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.

City Manager Milam read the following recommendation submitted by the Planning Director from a meeting of the Commission on December 17, 1975, which recommendation had been presented at the last regular meeting, with matter being set aside by Council until the developer agreed to put in utilities and construct streets and curbing as required under the Subdivision Control Ordinance, or make other arrangements for land exchange:-

"...The Preliminary Plan for Northampton Court Subdivision containing 26 townhouse lots and a proposed cul-de-sac street to be located on the north side of South Ave., between Central Avenue and the C-W Railroad, was reviewed by the Commission. The developers, Henry Clark and V. W. Nesselrodt, propose to dedicate a 20' wide strip of land (7,814 sq. feet) to the City along South Avenue, as was done by other recent developers along this collector street. 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 easement 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..."

Council was informed that an access easement is being prepared for vehicles on lots 1 thru 4 parking area and parking spaces on other lots are being re-designed. After further discussion, which again brought out the question of curb & gutter construction, it was agreed that the matter be deferred until more information is in, and further exploration is done.

The following recommendation submitted by the City Planning Director from a meeting of the Commission held on January 7, 1976, was presented and read:

"...The Commissioners reviewed a map indicating a proposed R-3 Multiple Family Residential District in the 1300 block of S. Main Street and westward to Central Avenue. The Director reviewed the initial August 1975 request for R-3 made by Mr. Giles Stone, Mr. Dwight Miller and Dr. O.L. Miller, the October 1975 petition by seven additional property owners on the east side of S. Main Street for R-3, and the Planning Commission's November 1975 decision to enlarge the proposed rezoning to include Keister School, Fire Co. No. 1 and all properties on the west side of S. Main Street between Maryland Avenue and South Avenue.

The Commissioners discussed Mr. Bill Neff's written & verbal request (made during the December 17, 1975 public hearing) for rezoning the west side of South Main's 1300 block to B-2 General Business, and agreed that a separate hearing will be scheduled later for this subject. In reviewing the responses heard during the public hearing, the Commissioners agreed that if R-3 is adopted, several non-conforming uses on South Main Street will conform and existing uses may continue to operate 'as is.' The proposal will also enlarge an existing R-3 area on South Avenue which was created in 1966.

Dr. Shank offered a motion that the Planning Commission recommend the entire R-3 Multiple Family District as advertised (excluding Peoples Baptist Church), thus rezoning the east side of South Main Street from R-1 Single Family to R-3, from Port Republic Road to Peoples Baptist Church, and rezoning the west side of S. Main St. from R-2 Residential to R-3, from Maryland Ave. to South Avenue and north to include Fire Co. No. 1 from R-2 Residential to R-3.

Mrs. Bowman seconded the motion. All members of the Commission voted in favor..."

Mr. Sullivan pointed out the areas on a map and noted that should R-3 be approved for S. Main St., it would permit professional office activities and conversion of single family homes to apartment units, as well as fraternity or boarding houses. The zoning would only offer these opportunities but would not mean that a single family dwelling had to be converted to any other purpose. He asked that Council give consideration to the map changes and said that the request for B-2 zoning by Mr. Bill Neff would be discussed at the next regular Commission meeting. A letter from Mr. Neff dated January 12, 1976, was read by the City Manager, requesting that only one public hearing be held by Council re the R-3 and B-2 Zoning requests. Mr. Sullivan said that the Planning Commission's public hearing on the B-2 request would be held in March of this year and that Mr. Neff was asking that the public hearing on R-3 be delayed until next spring. Vice-Mayor Denton offered an opinion that the last request by Mr. Neff is a separate issue from that of other property owners for R-3 zoning. Councilman Green moved that Council accept the recommendation of the Planning Commission and proceed with scheduling of a public hearing on the R-3 zoning request only, for Tuesday, February 10th at 7 30 P.M., which motion upon being seconded

by Councilman Dingleline, was adopted by a unanimous vote of Council. The City Manager was instructed to write Mr. Bill Neff advising him of Council's decision, and further, to properly advertise the public hearing scheduled for February 10th, in the daily news record newspaper.

Council's attention was called to their copies of a lengthy recommendation submitted by the Planning Commission from its meeting of January 7, 1976, embodying proposed amendments to the City's Zoning Ordinance, concerning Boarding & Rooming Houses, Fraternities, Sororities and off-street parking, which matter requires a public hearing. Following a brief discussion, Councilman Cline moved that a public hearing be scheduled for Tuesday, February 10, 1976, 7:30 PM in the City Council Chamber, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council, and the City Manager was instructed to properly advertise the same.

With regard to a prior request of the First Church of the Brethren for the closing of a portion of old South High Street for their use, and a report from a Board of Viewers appointed by Council to report on the situation, City Manager Milam reported that in as much as the City has water & sewer lines and telephone conduits in the 33' right-of-way, it would be a problem since the front portion relates to a 10' private alley. He noted that it has been announced that the First Church of the Brethren will build at a new location, which could change the complexion of the area if the building is sold for another use. Following discussion, Councilman Green moved that the Board of Viewer's Report be accepted for information, and placed on file for future reference, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council.

City Manager Milam reminded Council that the term of Councilman Green on the Upper Valley Regional Park Authority would expire on January 24th, and Mayor Erickson asked the pleasure of Council with regard to an appointment. Councilman Dingleline moved that Councilman Walter F. Green, III, be reappointed to the Authority for a term of four (4) years, expiring on January 24, 1980, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council. (Councilman Green, abstaining).

A letter dated December 18, 1975 from Mr. Brydon M. DeWitt, Corresponding Secretary of the Bicentennial Commission, addressed to Councilman Dingleline, a member of the Committee, was read by the City Manager. The following complete and current listing of recommended membership of the Commission was submitted for Council's consideration and approval: Miss Terri Burner, Mrs. Talmage Cooley, Mr. Reese L. Cover, III, Mr. Russell Curro, Miss Lydia Dambekalns, Mr. Brydon M. DeWitt, Dr. Raymond C. Dingleline, Jr., Mr. John Early, Mr. John B. Heatwole, Mr. A. L. Keim, Miss Phyllis Koontz, Dr. Richard K. MacMasters, Mrs. Eugenia L. Nelson, Mr. Melvin Miller, Mr. Robert Privott, Mrs. Juanita Saunders, Mrs. David Shantz, Mr. Robert Sterrett, Mr. Henry Stuart, Jr., Mr. Stanley N. Turner, Mr. Charles Wampler, Jr., Mrs. Patty Williams, and Mr. John F. Zirkle. Councilman Dingleline noted that the list of members was made in order to have a correct listing, with the possibility of adding and deleting some for 1976. He then moved that the membership list be approved, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

Correspondence dated 12/31/75 from the Area Manpower Planning Council was read by the City Manager, notifying that under a new interpretation for membership from political subdivisions, requirements have been changed which would permit the appointment of a city or county employee, rather than only an elected official. Councilman Cline, serving as voting delegate for Harrisonburg, noted that in as much as he has not been able to attend many of the meetings which have been attended by Assistant City Manager Driver, alternate delegate, he would be happy to serve in that capacity, with Mr. Driver serving as delegate. It was agreed that the appointed positions remain as at present.

For information, Mayor Erickson reported that he has been working on names of individuals to comprise a Farmer's Day Study Committee, which has not been completed. He asked members of Council for any suggestions which they may have.

City Manager Milam presented a number of "thank you" notes from various Boards & Commissions for Christmas turkeys presented them by the City.

There being no further business, Mayor Erickson moved that the regular session be adjourned at this time (9:45 P.M.), and that Council go into a brief executive session, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

N. Arlene Loken
CLERK

Ray Erickson
MAYOR

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Tuesday, January 27, 1976

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 ~~Mr. 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. Charles Anderson, pastor of West Side Baptist Church, Harrisonburg.

Minutes of the regular meeting held on January 13th were read, and approved as corrected.

Several residents from the northeast section of the City were present in the meeting to request Council's attention to various improvements in the area. Unable to be specific in their presentation, Mayor Erickson asked that they put requests in writing and present to Council, for consideration.

✓ For information, the City Manager presented correspondence from Thomas Bliley, Jr., president of the Virginia Municipal League and Mayor, City of Richmond, addressed to Member of the Virginia General Assembly. It stated concern re publication in the Richmond Times Dispatch newspaper that a

study committee recommends that the public utility consumer tax be abolished and replaced with an additional 1/2 cent sales tax. Pointed out in the correspondence was that "with the uncertain posture of public sector finances, any mandated changes which might be considered by the General Assembly should be held in abeyance." Further that "we beg you--do not take anything away from us unless it is replaced dollar for dollar with other tax sources."

✓ Mr. Jack Vaughan, Executive Director of the Upper Valley Regional Park Authority, called on Col. Livick, Chairman of the Site Development Committee, to present the plan on Grand Caverns. The following facts were brought out by the chairman: In 1974-75 there were almost 11,000 paid visitors to the caverns; a \$ 200,000. road & bridge project is now under construction which should open by March 15th; a residence has been constructed for the park manager, along with walkways and lighting and renovation of the gift shop. Members of Council were invited to the annual picnic on May 18th. Col. Livick gave a progress report leading up to the present Plan which has been approved unanimously by Staunton - was presented to Augusta County today--and will be presented to Rockingham County. Mr. Robert Stump, Manager of Grand Caverns Regional Park, informed Council that the caverns is located outside Grottoes, Va. and across from the Reynolds plant. After giving a verbal picture of the area, he said that new parking areas will be provided for visitors desiring to see the caverns, use the tennis courts and swimming pool. The area will be provided with recreational facilities, bike trails, nature trails, picnic area with shelters, rest room facilities, interpretative area at site of old lime kiln and another on caves. Mr. Vaughan noted that development plans are now being put together to be presented later, but noted that no cost figures could be quoted at this time, pending availability of state funds. However, a figure of approximately \$ 100,000. was projected for the total package. Council was informed that the Finance Committee would meet tomorrow, with a recommendation to be made to the Authority as to how this project will be financed. Following a question & answer session, Mayor Erickson expressed appreciation for the fine presentation.

✓ Mr. Glen Sutton, a member of the Virginia Alcohol Safety Action Program and Chairman of Augusta County's Highway Safety Commission, appeared before Council to explain a roadside survey which is being made in various areas under the Virginia Alcohol Safety Action Program. He noted that the Survey does not infringe on any person's rights in that any of the motorists stopped, would be requested to give a few minutes of their time to answer questions concerning alcohol and to take a breathalyzer test. Should any of the drivers cooperating with the Program be found to have consumed above the limit of alcohol, they would be driven home by a volunteer. Mr. Wayne King, Supt. of Schools, informed Council that he was asked to report that Harrisonburg's Highway Safety Commission recommended approval of the program. Mr. Sutton noted that the Survey questionnaire and breathalyzer test would be given in a roadside van at several locations in the City, each location requiring approximately 1 1/2 hours. Following discussion, Vice-Mayor Denton moved that the program be approved, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ Mrs. Mary Bradshaw, Coordinator for the Chapter 10 (Mental Health & Mental Retardation) Services Board, presented various charts and reports to each member of Council with regard to services rendered by the Board, financing of each, etc., showing increase in total Budget for 1976-77 of 29%. A recommendation was made for the Mental Health Center to be switched from state to local control, in that the Board feels that local people are in a better position to administer the Center as they are in close touch with the local needs. Mrs. Bradshaw asked that the City contribute \$ 3,600. more in next year's budget for Chapter 10 activities, than was appropriated for this fiscal year, as well as an additional amount of \$ 8,958. for operation of the Mental Health Center, which represents an increase of \$ 2,876. over the City's appropriation to the Center for this fiscal year. She said that she and other representatives of the Board would be happy to meet with Council at any time to answer questions, and noted further that a recommendation would be forthcoming for filling a vacancy on the Board. Mayor Erickson thanked Mrs. Bradshaw for the presentation and said that the requests would be considered along with other budget requests when studied by the Budget Committee.

✓ Mr. Jack Neff, Chairman of the City School Board, appeared before Council along with members of the Board and Superintendent Wayne King, to present the School Budget for fiscal year 1976-77, which had been approved by the School Board. He asked that Council members spend time on a study of the report and requested that the Board be permitted to meet for discussion should any adjustments on same be made. Mr. Neff pointed out that no additional positions were being requested in any area, and everything else was kept to a minimum in order to focus on salaries which sets forth an 8% increase to all teachers, excluding increments, in that these are not considered a raise, but additional income. To cover this blanket raise, an appropriation of \$ 245,000. would be required, plus some \$47,000. for other operating costs. He presented statistics showing comparison of the City's salary scale with other Virginia Cities. Of the \$3.8 million School Budget for operation of schools during the 1976-77 fiscal year, the City was requested to appropriate \$ 2.7 million. When City Manager Milam pointed out the fact that he was requested, under the City Code, to submit a balanced budget, Mr. Neff replied that he was aware of this, and should the school budget be adjusted with no discussion with the School Board, they would "have to live with it." Mayor Erickson thanked Mr. Neff and others present for presentation of the budget, and expressed appreciation for the time and work spent by the Board in preparing same.

✓ City Manager Milam presented and read a letter dated 1/15/76 from Mrs. Eleanor Canter, Chairperson of the Chapter 10 (Mental Health & Mental Retardation Services) Board, advising Council of the Board's concurrence with a recommendation from David J. Hatmaker, Special Justice of the Rockingham District Court, namely: that the City and County Governing Bodies honor statements from physicians for the usual \$ 25.00 fee for Commitment Hearings, plus \$ 10.00 for report preparation expenses. Mr. Hatmaker, in correspondence dated 12/26/75 to Mrs. Mary Bradshaw, Coordinator of the Chapter 10 Board, had pointed out the fact that a fee of \$ 25.00 for medical witnesses is set forth in the Code of Va. under Sec. 37-189, and that physicians are now submitting statements charging \$ 35.00 for services rendered in commitment proceedings. City Attorney Norvell Lapsley offered an opinion that this was not an unreasonable request, considering time spent by doctors in preparing proper commitment reports. Mrs. Bradshaw informed Council that the Board is trying to reduce commitments by suggesting other alternatives, noting that this does not apply to necessary commitments. Council discussed the matter

at length, after which time Vice-Mayor Denton moved that the fee for \$ 35.00, representing \$10.00 over and above amount allowed in the Code of Va., be approved for services rendered by physicians in commitment hearings, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ Correspondence dated 1/22/76 from Mr. Edward J. Baldwin, Jr., Plumbing Inspector for the City of Harrisonburg and secretary of the Plumbing Board of Examinations & Appeals, accompanied a proposed ordinance amending the City Code by adding a new chapter (20A) establishing a Cross-Connection Control Program. The Plumbing Board of Examiners & Appeals, along with the Water-Sewer Superintendent, Assistant Water-Sewer Superintendent, Building Official and Building Inspector, had made a thorough review of materials used in the City of Norfolk for such a program, and suited this to the needs of Harrisonburg, in the form of an ordinance. Mr. Baldwin noted in the correspondence that at a meeting of the Board on January 22nd, the following statement was approved, "It is the request of the Plumbing Board of Examinations & Appeals that the City Council, City of Harrisonburg, have a Cross-Connection Control Board Program, as written and proposed by the Plumbing Board of Examinations & Appeals." In as much as the ordinance is quite lengthy, City Manager Milam explained that the problem is, in simple terms, the mixing together of the water & sewer systems. The proposed ordinance would "protect the public potable water supply of the City and the complete water distribution system from the possibility of contamination or pollution by isolating within its customer's internal distribution system(s) such contaminants or pollutants which could backflow into the public water system." 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 Council.

✓ The City Manager reminded Council that the preliminary plan for Northampton Court Subdivision containing 26 townhouse lots and a proposed cul-de-sac street, to be located on the north side of South Ave. between Central Ave. and the C-W Railroad, had been recommended for approval by the City Planning Commission with certain requirements of the developers, but action on same deferred by Council pending further investigation with regard to utilities, etc. He told Council that he had heard, verbally, that the developers will comply with the City's Subdivision Control Ordinance, and recommended approval of the Planning Commission's recommendation which was as follows:- "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 thru 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." Following discussion, Councilman Green moved that the Planning Commission's recommendation be approved, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ For information, City Manager Milam informed Council that Mr. Tom Albrite, who has been serving as Assistant Fire Chief, has submitted his resignation due to being out of the City so much of the time on his new job with the ABC Board, and that the City Code requires the City Manager to make appointments for this position. He noted that although a number of inquiries and letters had been received re the position, applications will be considered in due time and appointment made.

✓ For information, Mayor Erickson reported that he had talked with Mr. Whitehead of the State Civil Defense Organization concerning an appointment of a Civil Defense Coordinator to replace Mr. Tom Albrite who has tendered his resignation. He said it was felt that an employee should be appointed who could represent both the City of Harrisonburg and County of Rockingham.

✓ The City Manager reminded Council that several years ago when the City adopted the Housing Code, Section 15-8 set forth the appointment of a Housing Board of Adjustments & Appeals to be comprised of 5 or 6 members. He stated that in as much as the City has now adopted the new Building Code (BOCA), which requires 5 qualified members, he would suggest that the present Housing Board of Adjustment & Appeals be abolished and combined with the Building Code Board of Appeals. Manager Milam noted further that neither of the two Boards have been very active, and mentioned that the terms of two members on the Housing Board had expired last April, as well as two terms on the Building Code Board which expired last November, leaving six members now active on both Boards. Following a brief discussion, Councilman Green moved that an ordinance abolishing the one Board and combining the two Boards, 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 Dingledine, was adopted by a unanimous recorded vote of Council.

✓ Vice-Mayor Denton moved that a supplemental appropriation in the amount of \$ 3,476.94 requested by the Recreation Director and representing participants' wages for November 1975 under CETA-Title II and Title VI funds be approved for second and final reading, a first reading having been approved on January 13th, and that:-

\$ 1,642.94 chgd. to: General Fund (1005) Recoveries & Rebates- Non- Rev. Receipts.

1,834.00 chgd. to: General Fund (1005) " " " "

1,834.00 approp. to: General Fund (11020-12.00) Parks & Playgrounds- Wages.

578.66 approp. to: General Fund (11020-12.01) CETA-Title II, Rec. Supv.

464.28 approp. to: General Fund (11020-12.02) CETA Title II, Ath. Supv.

400.00 approp. to: General Fund (11020-12.03) CETA Title II, Park Sec.

Officer

200.00 approp. to: General Fund (11020-12.04) CETA Title II, Maint. Man

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

✓ A request was presented from the Recreation Director for approval of a supplemental appropriation in the amount of \$ 400. to Westover Park Operating Expenses in order to transfer monies received for rent of Price-Rotary Center by VPAS @ \$100. per month for October, November, December 1975 and January 1976. Following a brief discussion, Councilman Green moved that the appropriation be approved, and that:-

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\$ 400.00 chgd. to: General Fund (1105) Non-Rev. Receipts- Recoveries
& Rebates

400.00 approp. to: General Fund (11026-390.00) Westover Park-
Other Oper. Exp.

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

✓ The City Manager presented a request from Mrs. Marie Arrington, Director of Social Services, for approval of a transfer of funds in the amount of \$ 2,923.80 into account of Recoveries & Rebates, which amount represents Aid to Dependent Children--Foster Care refunds from Social Security and/or parents. Vice-Mayor Denton moved that the transfer be approved, and that:-

\$ 2,923.80 trans. from: VPA Fund- Special Welfare Fund.

2,923.80 trans. to: VPA Fund- Rev. A/c 1005-2 - Recoveries & Rebates.

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

✓ City Manager Milam informed Council that Mr. Ralph Smith, Superintendent of Streets, had requested an amount of \$ 25,000., in that funds under Bureau of Street Inspection & Maint. & Repairs, were insufficient to provide materials & supplies for continuing the construction and maintenance program in 1975-76. He explained that ten extra men were hired in July & August, 1975, and the construction program stepped up. Manager Milam recommended that the requested amount be charged to the Unappropriated Surplus Account of the General Fund, if approved. Following discussion regarding various projects on streets & sidewalks in the City, these suggestions were summarized: a survey be made to determine how far sidewalks extend out from the various schools and the possibility of negotiating with property owners with regard to installation of walks leading to the schools; the Planning Commission being requested to submit a list or priority projects; a study of all school areas by the Harrisonburg Safety Commission. Councilman Dingledine moved that the appropriation of \$ 25,000 be approved for first reading, and that:-

\$ 25,000. chgd. to: General Fund - Unapprop. Surplus Account.

25,000. approp. to: General Fund (1-10110-275.01) Bureau of Street
Inspection, Repairs & Maintenance- Maint. &
Repairs-Highways, Streets, Sidewalks.

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

✓ Council was reminded by the City Manager that permission had been granted to the Salvation Army for use of space in the former No. 4 Hose Co. Building on W. Elizabeth St. during the Christmas holidays for preparation of Christmas baskets, etc. for the needy, with the proviso that they pay all utilities. He informed Council that the Salvation Army has made request through several letters for continued use of the building (east side, if not entire downstairs) for sale of used furniture, clothing, etc., for a monthly fee of \$ 150.00, and requested authorization to rent same under this offer. A request for increase of City appropriation for the Salvation Army from \$ 400. to \$ 1,000. will be considered along with other requests for the 1976-77 City of Harrisonburg budget. Following discussion, Councilman Dingledine moved that the Salvation Army be permitted to use space in the building, to be determined by the City Manager, on a month-to-month basis, for payment of utilities only, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ City Manager Milam presented correspondence dated 1/8/76 from Mr. Marshall Firebaugh, City Treasurer, requesting authorization to charge off various outstanding checks paid by the City of Harrisonburg during years 1973 and 1974. On lists accompanying the correspondence, the following checks were set forth at the local banks:

Rockingham National Bank, total amount of \$ 84.70 (checks numbered
7702, 7807, 8668, 8790, 9573, 9970, 9985, 11251, 11501)

Valley National Bank, total amount of \$ 205.98 (checks numbered
249, 449, 367, 748, 804, 1451, 900, 2471, 3300, 3378, 4177,
4201, 4983, 5353, 7355)

United Va. Bank-Spotswood, total amount of \$ 52.48 (checks numbered
6913, 9511, 10305, 11269, 11741)

Council discussed the listing briefly after which time Councilman Dingledine moved that the City Treasurer be authorized and directed to charge the outstanding checks off City records, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

The City Manager reminded Council a two-part public hearing scheduled on the next regular meeting date, Feb. 10th, namely:- rezoning request from South Main Street property owners, and proposed amendments to the City's Zoning Ordinance with regard to rooming houses, boarding houses, fraternities, sororities, parking, etc.

There being no further business and on motion duly adopted, the meeting adjourned at 10:25 P.M.

N. Arlene Loken
CLERK

Lay Eisher
MAYOR

DD550

Tuesday, February 10, 1976

At a combined public hearing and regular meeting held this evening at 7:30 PM, there were present:-
Vice-Mayor E. Warren Denton, Jr., City Manager Marvin B. Milam, City Atty. Norvell A. Lapsley, Clerk
N. Arlene Loker, 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:- Mayor Roy H. Erickson.

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

Minutes of the regular meeting held on January 27th 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 January, 1976.

From the City Treasurer:

A Trial Balance report as of close of business on January 30, 1976.

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 January, 1976.

From the City Auditor:

A financial report for the City of Harrisonburg, Va. for month of January, 1976.

A report of cash discounts saved during month of January, 1976 totaling \$ 148.82.

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 January, 1976.

✓ Upon receiving the final plat for Northampton Court Subdivision, the Preliminary Plan having been approved at the last regular meeting of Council, 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 Councilmen present.

✓ Council was advised by the City Manager that he had received a call from the attorney for Crown Royale, Inc., requesting that the matter which was to be brought up this evening re a dance license for the Elbow Room on S. Main St., be continued until the next regular meeting on February 24th.

✓ City Manager Milam informed Council that House Bill 441 extended the moratorium on business license increases, and reminded them of an ordinance which had been adopted by Council recently which had repealed the City Code section re real estate salesmen, flat license fee of \$ 25.00, which action would increase the amount they will pay. He reported that the Commissioner of Revenue has submitted correspondence concerning this Council action.

✓ Dr. Malcolm Tenney, Health Director, presented a report concerning work done by the Sanitarian each year since 1972. This report included the number of inspections made in the various types of institutions, i.e. restaurants, beauty parlors, barber shops, etc.

In the Mayor's absence, Vice-Mayor Denton closed the regular session temporarily and called the public hearing to order. City Manager Milam read the Notice of Hearing as publicized in the local newspaper, as follows:

"The Harrisonburg City Council will hold a Public Hearing on Tuesday, Feb. 10, 1976 at 7:30 PM in the City Council Chambers, Municipal Building, 345 S. Main St., to consider the following rezoning request and following amendments to the Zoning Ordinance: To change from R-1 Single Family Residential to R-3 Multiple Dwelling Residential all lots bordering the east side of S. Main St., from Port Republic Road to Monument Avenue. Also, to change from R-2 Residential to R-3 Residential, all properties on the west side of S. Main St. from Maryland Ave. to South Ave., plus all properties west of C-W Railroad to Central Ave., as shown in dots on the map above.

Text amendments and/or additions to the Harrisonburg Zoning Ordinance relating to Rooming & Boarding Houses, Fraternities, and Sororities, plus off-street parking requirements for these uses.

ARTICLE I, SECTION 31-2, DEFINITIONS:

1. Boarding House or Rooming House in R-2 Zones.
2. Boarding House or Rooming House in R-3 Zones.
3. Fraternity or Sorority House in R-3 Zones.

ARTICLE I, SEC. 31-11. OFF-STREET PARKING REQUIREMENTS:

1. Boarding and Rooming Houses
2. Fraternity or Sorority Houses

ARTICLE II, R-1, SINGLE FAMILY RESIDENTIAL DISTRICT, SECTION 31-25, USE REGULATIONS.

ARTICLE III, R-2 Residential district, SECTION 31-30, USE REGULATIONS.

ARTICLE IV, R-3 MULTIPLE DWELLING RESIDENTIAL DISTRICT, SEC. 31-35, USE REGULATIONS.

All persons affected or interested in these matters may appear in person or by agent at this hearing.

CITY OF HARRISONBURG

Marvin B. Milam, City Manager

The Vice-Mayor pointed out that this evening's Hearing was in two parts, and called on anyone desiring to be heard in favor of the S. Main St. rezoning request. Attorney Porter Graves, Jr., representing Messrs. Giles Stone, Dwight Miller and O.L. Miller, original petitioners for the rezoning between Edgelawn Drive and Weaver Ave., pointed out the fact that the area in request had expanded since that time, to the Peoples Church property. Atty. Graves gave reasons for the request for R-3 zoning which included the fact of extremely high traffic count on S. Main St. for the area which has been zoned R-1 Residential, most properties are now non-conforming for R-1 zoning; going to R-3 would be the proper zone as well as a buffer between S. Main St. and R-1 area to the east. He pointed out that there are only two lots undeveloped between Port Rd. and Monument Ave. Mr. R.J. Sullivan, City Planning Director, pointed out the area on a map and explained that the Commission had expanded the

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area in its recommendation to Council due to the fact that the petitions would have resulted in spot zoning. He said that the added area will blend in with the present R-3 which was so zoned in 1966, and called attention to the church, school, nursing home, No. 1 Fire Station, etc. located in the area at the present time. The recommendation of the Planning Commission which had been presented and read at Council's meeting on January 13th was read by the City Manager, with the following motion contained therein: "that the Planning Commission recommend the entire R-3 Multiple Family District as advertised (excluding People's Baptist Church), thus rezoning the east side of South Main St. (from R-1 Single Family to R-3), from Port Rd. to Peoples Baptist Church, and rezoning the west side of S. Main St. from (R-2 Residential to R-3), from Maryland Ave. to South Ave. and north to include Fire Co. No. 1, from R-2 Res. to R-3." Manager Milam presented correspondence which he had received from Peoples Baptist Church, expressing a desire to remain under R-2 zoning. There being no one present desiring to express views against the rezoning, Vice-Mayor Denton continued to part 2 of the Public Hearing concerning various amendments to the City's Zoning Ordinance. He called on those wishing to be heard in favor of the proposed changes. Dr. Richard Smith, 505 S. Mason St., serving as spokesman for the S. Mason Neighborhood Association which had registered complaints last fall, offered an opinion that the changes would help retain the character of the R-2 neighborhood. Representatives from Franklin St., Campbell St., W. View St., and Paul St., expressed concurrence in the proposed changes. Bob Cochran, president of TKE Fraternity, questioned how the Grandfather Clause would affect the changes, in that the new regulations would allow no more than ten fraternity or sorority members to live in a house. The City Attorney reported that he had found nothing in the law which would give the non-conforming fraternity house the inherent right to continue, and that at the end of the present lease term, it would be forced to conform. In answer to a question raised by Mr. Cochran re an appeal to the Board of Zoning, City Attorney Lapsley pointed out that changes in the City's Zoning Ordinance are under the City's police powers for the health, welfare and safety of its citizens, noting further that Council does not desire to "throw anyone out into the streets" but that all must conform to the changes. Mr. John Byrd, who is administrator of the zoning ordinance, will pursue all complaints as received on a property, and will so notify the occupants and/or owner. At this time, an appeal could be made before the Board of Zoning Appeals. There being no others desiring to be heard, the public hearing was declared closed at 8:25 PM and the regular session reconvened.

✓ The City Manager reminded Council that amendments to the Zoning Ordinance for the S. Main St. area rezoning should have two readings, and the Vice-Mayor asked member's wishes regarding this matter discussed in tonight's public hearing. Councilman Dingledine moved that the zoning map changes approved for a first reading, which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Councilmen present.

✓ City Manager Milam presented a proposed ordinance amending Articles in the City's Zoning Ordinance with regard to Rooming and Boarding Houses, Fraternities & Sororities, and Off-Street Parking for these uses, which matter had been discussed in tonight's public hearing. Councilman Green 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.

✓ Mr. John Zirkle, Chairman of the Morrison House Committee, was ~~present~~^{present} in the meeting to again request a City loan of \$ 25,000. for moving of the Morrison house from its present location on N. Liberty St. to Westover Park, although the City Attorney had noted at a previous meeting that such a loan to Hearthstone, Inc., could be attacked on several grounds. Mr. Zirkle informed Council that the deadline for a decision to be reached re moving of the house, as set by the present owners, is the end of this month, and that unless some report was to be made regarding contact with the owners, by the City Manager, for leaving the house on its present foundation, the Committee would like to make the following observations to clarify its request:-

1. The Committee considers the money requested to be a loan. The Committee intends to continue its fund raising campaign.
2. The moving and restoration of the Morrison House has been endorsed as a project of Harrisonburg-Rockingham County Bicentennial Commission.
3. The Committee's campaign to move and restore the Morrison House began with the assumption that the House could not remain at its present location.
4. The Morrison House Committee formed (with funds donated by the Harrisonburg Junior Womens' Club) a non-profit foundation named "Hearthstone, Inc." This foundation is able to accept donations, and grants for the purpose of maintaining the Morrison House and other buildings of local historical interest.
5. The Committee members believe that there is broad popular support for the Morrison House Project. At the same time the Committee Chairman apologizes for the apparent failure to communicate the strength of this popular support to City authorities.

It was reported that the Junior Womens' Club had contributed the amount of \$ 700., and would give an additional \$ 1,000. to get the project underway, and that the United Daughters of the Confederacy had contributed the amount of \$ 500. toward it. Both organizations feel it would be a shame to allow the Morrison House to be destroyed in that it would set a precedent for other old structures in the City of Harrisonburg. Mr. Steve Zapton pointed out the fact that a lot of interest has been shown in the project and offered an opinion that the City could channel some funds toward same. Pat Bunmeyer reported that the Board of Realtors had voted today to support this project. Mr. Zirkle said that should a loan be approved by the City, a Grant may be obtained. Mr. John Green reported that an amount of \$ 5,575. had been deposited in local banks for the project, with another \$ 100. to be deposited tomorrow, and that \$ 1,300. in pledges had been made. The Rockingham-Harrisonburg Historical Society has pledged \$ 1,000. and are still backing moving of the Morrison House. Mr. Robert Sullivan, Planning Director, reminded Council and those present that the matter had been referred to the Commission in November of 1974, at which time it had been thoroughly studied by both the Planning Commission and Parks & Recreation Commission. Following this, a recommendation was submitted to Council for City land to be set aside on a corner of Westover Park for the house,

if it had to be moved. He stressed the fact that the recommendation was based on success of the financial campaign in contributions from the public and through private contributions. He called attention to a number of old dwellings in the City which were included in a Walking Tour several years ago, which structures are being preserved i.e. the Municipal Bldg. (former Main Street School Building); the Rockingham County Courthouse; the First National Bank Bldg, and others, including several old homes. A Junior Womans' Club representative informed Council that this was the Club's project, and offered an opinion that around April of this year, a large contribution would be made, with the Club also contacting other Clubs to determine if they will match the amount. Mr. Zirkle noted that all contributions would have to be returned, should the project be abandoned. No action was taken regarding the requested City loan, at this time.

✓ Council was informed by the City Manager that a resolution to accompany a pre-application for federal assistance under the Community Development Block Grant in order to rehabilitate the Kavanaugh Hotel Building for moderate income housing, had to be re-written. He then read the following revised resolution for Council's 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 Department 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, Virginia, that;

1. The City Manager is hereby authorized to undertake the preparation of a preapplication 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 said Department of Housing and Urban Development.

ADOPTED this ____ day of Feb, 1976.

____ Mayor

Attest:

____ Clerk

Following a brief discussion, Councilman Cline moved that the resolution be approved with authorization for the proper officials to sign the same, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

✓ City Manager Milam reported that the \$ 3 1/2 million Skidmore Dam Project was near completion and suggested that some plans be made for a Dedication Ceremony of the Lower North River Watershed-Skidmore Multi-Purpose Dam Program. He informed Council that a letter had been sent to the White House requesting President Gerald Ford, or his special legal counsel, John O. (Jack) Marsh, a native of Harrisonburg, to be the speaker, possibly a Saturday afternoon late in May. He suggested that the dam be named for the late Mr. Frank Switzer, former mayor and city councilman, with his name and years in which he served in various capacities with the City of Harrisonburg, inscribed on a bronze plaque. The matter was discussed, with members concurring in the City Manager's suggestions. Councilman Green moved to follow the City Manager's outline, leaving details for the dedication ceremony to his discretion, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ Vice-Mayor Denton asked members' wishes re a second and final reading on an ordinance amending Chapter 20 of the City Code by adding a new chapter (20A), establishing a Cross Connection Control Program, which would lend protection to mixing of the City's Water & Sewer Systems. Councilman Cline moved that the ordinance which was approved for a first reading on January 27th, 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 Councilmen present. (Refer to Ord. Bk K Page 84).

✓ Council was reminded that an ordinance had been approved for a first reading at the last regular meeting, amending Chapter 15 of the City Code by eliminating the Housing Board of Adjustments & Appeals, and merging same with the Building Code Board of Appeals. The Vice-Mayor asked members' wishes concerning a final reading of the ordinance. Following a brief discussion, 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 Councilman Green, was adopted by a unanimous recorded vote of Councilmen present. (Ord. BK K Page 83).

✓ Councilman Green moved that an appropriation in the amount of \$ 25,000. requested by the Superintendent of Streets due to insufficient funds to provide materials & supplies for continuing the construction and maintenance program this fiscal year, be approved for second and final reading, a first reading having been approved on January 27th, and that:-

\$ 25,000. chgd. to: General Fund - Unappropriated Surplus Account.

25,000. approp. to: General Fund (1-10110-275.01) Bureau of Street Inspection, Repairs & Maint.- Maint. & Repairs- Highways, Streets, Sidewalks.

which motion upon being seconded by Councilman Cline, 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 \$ 3,694.98 in order to transfer monies received for participants' wages

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incurred during the month of December 1975 under Title VI(A) and Title II funds, as per agreement with the Va. Employment Commission. Councilman Green moved that the appropriation be approved for a first reading, and that:-

- \$ 1,617.98 chgd. to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.
- 2,077.00 chgd. to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.
- 2,077.00 approp. to: General Fund (11020-12.00) Parks & Playgrounds- Wages (CETA-Title VI (A))
- 653.20 approp. to: General Fund (11020-12.01) CETA-Title II (Rec. Supv.)
- 537.28 approp. to: General Fund (11020-12.02) CETA-Title II (Ath. Supv.)
- 267.50 approp. to: General Fund (11020-12.03) CETA-Title II (Park Sec. Off.)
- 160.00 approp. to: General Fund (11020.12.04) CETA-Title II (Maint. Man)

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

✓ City Manager Milam requested approval of a supplemental appropriation in the amount of \$ 2,000. from Account of Recoveries & Rebates in order to appropriate money received on January 28, 1976 from Rockingham County to Chapter 10 Board for operating expenses. Following a brief discussion, Councilman Dingledine moved that the appropriation be approved for a first reading, and that:-

- \$ 2,000. chgd. to: General Fund (1005) Recoveries & Rebates.
- 2,000. approp. to: General Fund (1-15030-393.00) Non-Departmental- Chapter 10 Board

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

✓ The City Manager presented a request from Mrs. Marie Arrington, Director of Social Services, for approval of an appropriation in the amount of \$ 12,450.00 in order to appropriate additional state funds for food stamp eligibility workers and Child Abuse Coordinator as required by State Law. Following a brief discussion, Councilman Cline moved that the appropriation be approved for a first reading, and that:-

- \$ 12,450.00. chgd. to: VPA Fund (05-604.01) Additional State Funds appropriated--Revenue from Other Agencies--Administration.
- 4,854.00 approp. to: VPA Fund (05-8021-11-03) Personal Services- Food Stamps.
- 7,596.00 approp. to: VPA Fund (05-8021-11-05) Personal Services- Protective Ser. - Child Abuse.

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 Social Services for approval of a supplemental appropriation in the amount of \$ 3,112.00 from Recoveries & Rebates, for food stamp eligibility workers; and Child Abuse Coordinator, as required by State Law. Councilman Dingledine moved that the appropriation be approved for a first reading, and that:-

- \$ 3,112.00 chgd. tp: VPA Fund (1005-2) Revenue a/c-Recoveries & Rebates.
- 1,213.00 approp. to: VPA Fund (05-8021-11.03) Personal Services- Food Stamps.
- 1,899.00 approp. to: VPA Fund (05-8021-11.05) Personal Services- Protective Ser.- Child Abuse.

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

✓ The City Manager presented correspondence from the State Board of Elections, along with a printed form to be returned, signifying whether TO or NOT TO establish a Central Absentee Voter Election District for Harrisonburg. Councilman Cline explained that this would mean a separate place to deposit absentee ballots, rather than taking them into the various precincts where absentees reside. Following discussion, Councilman Green moved to NOT ESTABLISH a Central Absentee Voter Election District, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present. The City Manager was instructed to return the printed form.

✓ The City Manager presented a request from the Central Shenandoah Planning District Commission for nomination of candidates to be appointed to the Board of Directors of the proposed Northwestern Virginia Health System Agency, Inc. Council discussed the matter and agreed that it be deferred until the next regular meeting, until the City Manager could get further information concerning the request, possibly through Mr. Nelson Liskey, Administrator of Rockingham Memorial Hospital, and report back to Council his findings.

There being no further business and on motion duly adopted, the meeting adjourned at 9:30 P.M.

N. Nelson Liskey
CLERK

Lay E. E. E.
MAYOR

DD550

Tuesday, February 24, 1976

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., 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 The Rev. James Lincoln, Rector of Emmanuel Episcopal Church.

Minutes of the combined public hearing and regular meeting held on February 19th were read, and approved.

✓ The City Manager presented and read a letter dated February 18th from Mrs. Jeanne Rion, Secretary of Fire Co. No. 1 Ladies' Auxiliary, requesting permission for the auxiliaries of both fire companies to sell Dogwood Buttons for Firemen's Relief, on Saturday, April 17, 1976. It was pointed out in the correspondence that this is not a sale, but actually a donation, in that the money received aids firemen who have been injured or have become ill as a result of firefighting. Mayor Erickson noted that this has been done annually, on a scheduled date, and asked member's wishes regarding same. Councilman Dingledine moved that the Ladies' Auxiliaries of Fire Companies No. 1 and No. 4 be permitted to solicit for donations through Dogwood Buttons, on Saturday, April 17, 1976, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.

✓ The City Manager informed Council that a check in the amount of \$ 980.14, representing the final payment to the City of Harrisonburg in the Gypsum Wallboard Litigation Case for buildings constructed in 1966 & 1967 had been received. The Harrisonburg High School building was the City's project entered in the case. The report was for information, only.

City Manager Milam presented the Audit Report for the office of City Treasurer for fiscal year ending 6/30/75, showing a balance of \$ 394,818.49 collected for the Commonwealth. He noted that the report would be on file in his office.

✓ Correspondence dated 2/18/76 was presented from Mr. Gary A. Judd, requesting that lots 3 & 4 of Maplehurst Addition be rezoned from R-1 Single Family Residential to R-3 Multiple Dwelling Residential. It was pointed out that the lots are located at the intersection of two heavily traveled through streets, making the area no longer suitable for single family residences, unsafe for children, and extremely noisy. In the widening of S.Main Street, 15' would be taken from the properties. Councilman Cline 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 Councilmen present.

✓ Mr. John Zirkle, Chairman of the Morrison House Committee, presented a number of petitions for preservation of the Morrison House by moving it to a site at Westover Park, which matter had been discussed at the last regular meeting, with no action taken by Council with regard to a City loan of \$ 25,000. to the Hearthstone Co.Inc. He informed Council that the Daily News Record was in support of the project. Councilman Dingledine, a member of the Bicentennial Commission, reported that he had been in contact with Mr. Earl Wetsel of the Wetsel Seed Company, present owners of the Morrison property, who indicated to him that they are willing to give further consideration of incorporating the house into plans the company may have for further expansion. He has given assurance that the building will not be demolished while consideration is being given as to what may be done at the present location. Councilman Dingledine noted that should the house not be incorporated into the company's plans, there would be time to determine what action the City should take. He said he was appreciative of the generous attitude and concern shown by the Wetsel's, also to Mr. Zirkle and others who have given time and thought to this project. He moved that the Mayor appoint a two-man committee, comprised of a representative of the city administration (possibly the Planning Director), and a representative from Council, to keep in touch with the Wetsels and report directly back to Council. Mayor Erickson asked Mr. Robert Sullivan, Planning Director, and Councilman Dingledine, a member of the Bicentennial Commission, to serve as a committee, receiving consent of both individuals. Vice-Mayor Denton seconded the motion, incorporating therein the two appointees, which motion was adopted by a unanimous vote of Councilmen present. Mayor Erickson noted that the Morrison House Project had aroused interest throughout the City through the news media and radio, and in answer to a question by Mr. Zirkle whether the matter could be presented again should the Wetsels not include the property in their plans, stated that he was sure the matter was not closed. Mr. John Green, Treasurer of the Morrison House Committee, reported a total of \$6,051. cash and \$ 1.850. in pledges toward the moving project. Councilman Dingledine suggested that the committee "stand fast" with the funds for the time being, to determine what develops before offering to return the same to contributors. Mr. John Heatwole, a member of the Morrison House Committee, expressed concern that the City has no assurance the building will not be demolished in the future if left to Wetsel's planning, as well as the fact that the cost of moving the house will soar in the future, over and above the amount quoted at this time. Mrs. Bruce Wallinger of the Junior Woman's Club, told Council she did not feel the people would benefit as much from the preservation of the building as a part of the Wetsel Seed Co., as it would if the building were moved and used as a historical museum. She stated further that a lot of interest would be lost, should the project be deferred for 6 weeks or longer. Mr. Steve Zapton was enthusiastic about the possibility of the Morrison House being left on its present foundation, while Mr. John Weissenberger informed Council that it would be taking advantage of a chance to acquire a historic landmark for the City, rather than just preserving it. Councilman Dingledine agreed that the latest offer of the Seed Company does not accomplish what supporters of the project had in mind, but added that the desire for public use must be balanced against maintaining the historic integrity of the building. He then moved that the Planning Commission be requested to consider the desirability of establishing a local Historical Landmark Commission to be alert to the situation re. other properties in Harrisonburg, and make proper recommendations to Council, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ Mr. R.H.Strickler, Co-Chairman of the Citizens Land Use Planning Committee, presented a film "Trends, Issues and Alternatives of the Rockingham County Land Use Plan." He explained that the committee had been formed, following presentation of a Land Use Plan by the Rockingham County Planning Commission, and sub-committees were set up. Mayor Erickson thanked Mr. Strickler and other members of the committee, for efforts of the group, and assured them that the Plan would be reviewed (Vol. 1 & II), as presented to each member of Council, in report form.

✓ Council was reminded that changes on the City's Zoning Map had been approved for a first reading at the last regular meeting, for rezoning from R-1 (Single Family Residential), to R-3 (Multiple Dwelling Residential), all lots bordering the east side of S.Main St. from Port Road to Monument Ave., and rezoning from R-2 Residential to R-3 Residential, all properties on the west side of S.Main St. from Maryland Ave. to South Avenue, plus all properties west of the C-W Railroad, to Central Avenue. Mayor Erickson noted that the changes had been discussed in the public hearing held on February 10th, and asked member's wishes concerning a second and final reading. Councilman Cline moved that the zoning map changes be approved for second and final reading, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present..

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City Manager Milam presented a proposed ordinance amending, or adding to, Articles I, II, III and IV of the City's Zoning Ordinance with regard to Rooming Houses, Boarding Houses, Fraternities, Sororities, and Off-Street Parking for these uses, which ordinance had been approved for a first reading on February 10th, following discussion of same in a public hearing. Councilman Dingledine expressed a concern about one Fraternity "TKE", which would be non-conforming under the proposed ordinance, automatically. City Attorney Lapsley pointed out that the ordinance would have to be changed for existing properties, but felt that the administrator of the zoning ordinance and also the Zoning Board of Appeals, would be fair in all decisions. After further discussion, 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 Councilmen present. (Refer to Ord. Bk. K, page 85).

The City Manager reminded Council that a letter had been received in his office on January 28th from Attorney Robert Dinsmore, attorney for Crown Royale, Inc., requesting that the matter of a dance permit for the Elbow Room be continued until this meeting. He then reported that as of late this afternoon, he had received a telephone call requesting that the matter be tabled temporarily. Council acknowledged notification of the request and agreed to table the matter.

Council was reminded that the term of Mr. Edward Moore on the Parks & Recreation Commission had expired on December 31, 1975, and the mayor asked member's wishes re an appointment. Councilman Dingledine called attention to correspondence dated February 4, 1976 from the Commission recommending that Mrs. Richard (Susan) Tysinger of 645 N. Willow St. be considered. It was pointed out that she grew up in Harrisonburg, always associated herself with recreation and the Recreation Department, having served at one time on the Teenage Advisory Board. Councilman Dingledine moved that Mrs. Tysinger be appointed to serve a four (4) year term expiring December 31, 1979, on the Parks & Recreation Commission, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.

For information, City Manager Milam reported that the names of Mrs. Walter (Joan) Trobaugh of Harrisonburg, and Mrs. Carol Leet of Elkton, had been submitted to the Central Shenandoah Planning District Commission, prior to its meeting on February 16th, as nominees for appointment to the Board of Directors of the proposed Northwestern Virginia Health System Agency, Inc., representing Harrisonburg and Rockingham County, respectively.

Vice-Mayor Denton moved that a supplemental appropriation in the amount of \$ 3,694.98 requested by the Recreation Director in order to transfer monies received for participants' wages incurred during the month of December 1975 under CETA Title VI(A) and Title II funds, as per agreement with the Virginia Employment Commission, be approved for second and final reading, a first reading having been approved on February 10th, and that:-

- \$ 1,617.98 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.
- 2,077.00 chgd.to: General Fund (1005) " " " " " "
- 2,077.00 approp.to: General Fund (11020-12.00) Parks & Playgrounds- Wages (CETA-Title VI(A)
- 653.20 approp.to: General Fund (11020-12.01) CETA-Title II (Rec. Supv.)
- 537.28 approp.to: General Fund (11020-12.02) CETA-Title II (Ath. Supv.)
- 267.50 approp.to: General Fund (11020-12.03) CETA-Title II (Park Sec.Officer)
- 160.00 approp. to: General Fund (11020-12.04) CETA-Title II (Maint.Man)

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

Councilman Dingledine moved that an appropriation in the amount of \$ 2,000. requested by the City Manager in order to appropriate money received on January 28th from Rockingham County to the Chapter 10 Board for operating expenses, be approved for second and final reading, a first reading having been approved on February 10th, and that:-

- \$ 2,000. chgd.to: General Fund (1005) Recoveries & Rebates.
- 2,000. approp.to: General Fund (1-15030-393.00) Non-Departmental- Chapter 10 Board

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 \$ 12,450.00 requested by the Director of Social Services in order to appropriate additional state funds for food stamps eligibility workers and child abuse coordinator as required by state law, be approved for second and final reading, a first reading having been approved on February 10th, and that:-

- \$ 12,450.00 chgd.to: VPA Fund (05-604.01) Additional State Funds appropriated--
- Revenue from Other Agencies- Administration.
- 4,854.00 approp.to: VPA Fund (05-8021-11.03) Personal Services- Food Stamp.s
- 7,596.00 approp.to: VPA Fund (05-8021-11.05) Personal Services- Protective Ser.-Child Abuse.

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

Councilman Cline moved that a supplemental appropriation in the amount of \$ 3,112.00 requested by the Director of Social Services, in order to appropriate additional state funds for food stamp eligibility workers and child abuse coordinator, as required by state law, be approved for second and final reading, a first reading having been approved on February 10th, and that:-

- \$ 3,112.00 chgd.to: VPA Fund (1005-2) Recoveries & Rebates.
- 1,213.00 approp.to: VPA Fund (05-8021-11.03) Personal Services- Food Stamp.s
- 1,899.00 approp.to: VPA Fund (05-8021-11.05) Personal Services- Protective Services- Child Abuse.

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

A request was presented from Police Chief Presgrave for approval of a supplemental appropriation in the amount of \$ 995.39 in order to reimburse various accounts under police department appropriations for monies spent out of same, from Recoveries & Rebates. Following a brief discussion, Councilman Cline moved that the appropriation be approved, and that:-

\$ 995.39 chgd.to: General Fund (1005) Recoveries & Rebates.
 70.00 approp.to: General Fund (9010-330.01) Travel-Police Schools.
 55.30 approp.to: General Fund (9010-274.00) Maint. & Repairs- Auto Equip.
 54.09 approp.to: General Fund (9010-11.08) Special Police
 22.50 approp.to: General Fund (9010-11.08) Special Police
 793.50 approp.to: General Fund (9010-12.01) Title II Funds

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

✓ A request was presented from Mr. Paul Quintrell of the City School Board Office for approval of a supplemental appropriation in the amount of \$ 3, 701.92 in order to appropriate donation received from the Harrisonburg Electric Commission to partially cover cost of repair of lights at Memorial Stadium. Following a brief discussion, Councilman Dingleline moved that the appropriation be approved for a first reading, and that:-

\$ 3,701.92 chgd.to: School Fund (R-37) Receipts from Other Funds Rebates (Realized Rev.)
 3,701.92 approp.to: School Fund (2-1205-290.01) Maint. School Plant- Cont.Servs.-
 Bldgs & Grounds

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

✓ The City Manager presented and read correspondence from City Auditor Shifflet requesting authorization to establish a new fund titled: "Title XX Special Welfare Fund" and to cancel out the present Title XX Account in VPA Fund, with amount of \$ 900.00 transferred over to the new fund. It was pointed out that this action had been taken by the Welfare Board on February 18th in order to keep the Donor and Title XX money separate and to be able to make Title XX funds more accountable. The City Auditor noted that the new fund would be in deficit at times until funds were received to cover same, and that it will be a sort of Revolving Fund. Following discussion, Councilman Cline moved that the City Auditor be authorized and directed to establish the Special Welfare Fund and that the transfer of \$ 900.00 be approved, as follows:-

\$ 900.00 trans.from: VPA Fund (05-8030-406) Title XX
 900.00 trans.to: VPA Fund - Title XX Special Welfare Fund

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

✓ The following recommendation submitted by the Planning Director from a meeting of the Commission held on February 18, 1976, was read by the City Manager:

"...The Final Plan for Holiday Hills Subdivision, Section 9, containing eleven single family lots and a cul-de-sac street to be named 'Sumter Court' and located on the north side of 7th Street, between Rockingham Drive and Lee Avenue, was presented by Mr. Robert Jellum, engineer for Skyline Developers. Based on the City staff's Subdivision Review Sheet comments dated January 14 and 21, 1976, and discussion by Mr. Milam and the Director, Mr. Williams moved that the Planning Commission recommend approval of this Final Plan for Section 9, Holiday Hills Subdivision. Mrs. Bowman seconded the motion and all members voted aye."

Manager Milam called member's attention to their copies of a sketch showing location of the lots in the extreme northwest section of the City and noted that all seemed to be in order. Councilman Cline moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.

✓ Manager Milam presented and read the following recommendation submitted by the Planning Director from a Commission meeting held on February 18, 1976:-

"...The Final Plan for Rehder Acres Subdivision, Section 4, containing twelve townhouse lots and one common area parcel for parking spaces, was reviewed by the Commission. Mr. Sullivan explained how this section was given preliminary approval in September 1975, with the understanding that building permits would be issued, foundation work would commence, and then a Final Plan would be drawn so that common walls of townhouse units would correspond with lot lines. Mr. Clyde Pugh, developer, was present to answer any questions. Mr. Williams concluded the discussion with a motion recommending Planning Commission approval of the Final Plan for Section 4 in Rehder Acres Subdivision. Mr. Kuykendall seconded the motion and all members voted aye..."

Following a brief discussion, Councilman Dingleline moved that the Planning Commission's recommendation be approved, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.

✓ The following Planning Commission recommendation from a meeting of the Commission held on February 18, 1976, was presented and read by City Manager Milam:-

"...The Final Plan for Northampton Court Subdivision, containing 26 townhouse lots and a cul-de-sac street to be named 'Northampton Court' and located on the north side of South Avenue, between Central Avenue and the C-W Railroad, was reviewed by the Commission. The developers, Henry Clark and V.W.Nesselrodt, were present to explain that they will build curb and gutter along South Ave. and on Northampton Court, and vehicular use easements for lots 1 thru 4 as requested by City staff will be written into sales agreements for these lots. Mr. Clark asked how they could get a variance regarding the Zoning Ordinance requirement for townhouses to have staggered setbacks. Mr. Sullivan said this detail should be presented to the Building Official and the Board of Zoning Appeals on the basis of a hardship plea. Based on the information in the Subdivision Review Sheet of February 11th, and Mr. Clark's assurances that the developer will install required curb and gutter and utilities, Mr. Kuykendall moved that the Planning Commission recommend approval of this Final Plan for Northampton Court. Dr. Shank seconded the motion and all members voted aye..."

Council was informed that several exchanges of land were made in order to straighten up certain irregularities, and that easements were in. Following discussion, Councilman Cline moved that the Planning Commission's recommendation be approved, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.

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✓ Mayor Roy H. Erickson, representative of the City of Harrisonburg on the Shenandoah Valley Joint Airport Commission, informed members that some of the participating political subdivisions prefer that the word "Joint" be deleted from the Commission name. He pointed out that a motion was necessary by each governing body of the subdivisions in order to register positions in the matter. Following a brief discussion, Councilman Cline moved that the Harrisonburg City Council concur in the deletion of "Joint" from Shenandoah Valley Joint Airport Commission, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.

✓ Council was informed that notice had been received from the United States Environmental Protection Agency that the City of Harrisonburg's application for Recovery System for Solid Waste planning monies, had not been approved. In as much as Council had agreed to look at the situation from a local standpoint, should funds not be available, the City Manager was instructed to place this matter on the agenda for the next regular meeting at which time the Assistant City Manager would be asked to have further information on the matter.

✓ City Manager Milam reminded Council that in 1956 the City had granted a franchise to Columbia Gas Company, which franchise is still active, and at that time the City Manager was designated to be responsible for all facets of work. He noted that some changes will have to be made in that the S.C.C. froze additional of customers several years ago, and noted that the changes will be announced at a later date. The report was for information, only.

There being no further business, Vice-Mayor Denton moved that the meeting adjourn at this time (10:15 P.M.) and that Council go into a brief executive session to discuss a legal question, upon request of the City Manager, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

N. Polene Loker
CLERK

Roy Erickson
MAYOR

Tuesday, March 9, 1976

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 held on February 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 February, 1976.

From the City Treasurer:-

A Trial Balance report as of close of business on February 27, 1976.

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 February, 1976.

From the City Auditor:-

A financial report for the City of Harrisonburg, Va. for month of February 1976

A report of cash discounts saved during month of February, 1976 totaling \$ 289.00

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 February, 1976.

✓ The City Manager presented the audit report for the Harrisonburg Juvenile Domestic Relations Court for fiscal year ended June 30, 1975 as submitted by the Auditor of Public Accounts. The report noted 361 juvenile cases during the past fiscal year as compared to 478 cases the prior year. Council asked the City Manager to make an effort to determine why the cases had decreased. The report will be on file in the office of City Manager.

Council was notified of a public meeting on Northeastern U.S. Water Supply Study scheduled for Wednesday, March 24th at the George C. Marshall High School, Falls Church, Va. Manager Milam pointed out the fact that the Verona Dam is listed for the year 2,000, with a capacity of 190 million gallons of water per day. Total local funding of \$ 100 million. The notice was for information.

✓ Correspondence dated 3/2/76 from David R. Garber, owner of Red Front Super Market, Inc., was presented by the City Manager. A request was made for rezoning of lots no. 1 thru 18 bordering on the east side of N. Willow St. between Second and Third Sts., presently zoned R-1 Single Family Residential, to R-2 Residential, for the purpose of construction of six townhouses. Mr. Garber, owner of lots 1 thru 10, enclosed a check for \$ 50.00 to cover costs, as well as a statement from Mrs. Caroline May, owner of the other lots, stating no objection to the rezoning. 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 Council.

✓ A request from Gunsmoke Developers, Inc., was presented from correspondence dated 2/25/76, by the City Manager, for rezoning a tract of ground west of Reherd Acres Subdivision and south of Old Furnace Road, from R-1 Single Family Residential, to R-4 Planned Development. On motion of Councilman Green, seconded by Vice-Mayor Denton, and a unanimous vote of Council, the request was referred to the City Planning Commission for study and recommendation.

✓ City Manager Milam presented an unsigned deed for conveying a 15' wide alley extending from Water

Street to Newman Avenue, and approximately 120' east of S. Main St., to the City of Harrisonburg, by the owner, Rockingham Union Lodge No. 27. He recommended that the matter be referred to the Planning Commission for study, though he could see no reason why the alley should not be accepted by the City. Following a brief discussion, Councilman Dingledine moved that the recommendation of the City Manager be approved and matter referred to the Planning Commission, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ The City Manager presented and read correspondence dated 2/20/76 from Attorney Glenn M. Hodge of the firm of Wharton, Aldhizer & Weaver, attorneys for Rockingham Cooperative Farm Bureau, requesting that Alley Street (30' in length), running parallel to Grace Street from the C-W Drive eastward to the C-W Railway property, be vacated. It was noted in the correspondence that the only other property owner abutting the street is C-W Railway, who, according to their understanding, has no objection to the street vacation or closing. The City Manager recommended referral of the request to the City Planning Commission for study and recommendation, and noted that following this action it has been the custom for Council to appoint a Board of Viewers to view the street or alley in question and report in writing whether or not there would be any inconvenience in vacating same. Following a brief discussion, Vice-Mayor Denton moved that the request be referred to the Planning Commission, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ City Manager Milam presented the site development plan, as submitted by the law firm of Clark, Jolly & Smith, for College Court Townhouses, proposed to be constructed by a Madison College Group on land which lies south of Cantrell Ave. between Paul & Reservoir Streets. On motion of Councilman Cline, seconded by Councilman Dingledine, and a unanimous vote of Council, the Plan was referred to the City Planning Commission for study and recommendation.

✓ Council was advised by the City Manager that he had received a call from Rep. Kenneth Robinson indicating that the Department of Housing & Urban Development had made a preliminary allocation to the City of Harrisonburg of \$ 525,000. under the Community Block Development Grant to provide housing for the elderly and moderate income families. He noted that application had been submitted in order to renovate the Kavanaugh Hotel Building for low income families and that Harrisonburg was one of two communities out of over 100 applicants, receiving funds. Council was informed by the City Manager that he would complete and sign the final application, which action was necessary prior to release of funds. The report was for information, only.

✓ Assistant City Manager John Driver gave background information leading up to the City's two applications for federal funding for the Solid Waste Energy Recovery System Feasibility Study, both of which had been turned down. He reminded Council of an earlier decision to consider having such a study made with local funding, should the application be disapproved, and offered an opinion that this was "the way to go." He noted a period of seven to eight years left in our present landfill and pointed out the fact that another site would be difficult to find. In as much as Council had asked Mr. Driver to bring in further information to this meeting, he introduced two representatives of the firm of Deward Martin & Associates, Inc., Civil Engineers, who in his opinion were well qualified to make the feasibility study. He said that Mr. Paul MacGregor had worked hard in assisting the City with its applications for funding, and recommended that his firm be employed by the City. Mr. MacGregor reported to Council that five years ago a study had been made with the City of Harrisonburg and Rockingham County by his firm which was then Martin & Clifford (since dissolved due to territorial separation), and quoted a cost of \$ 22,500. for an updating of the original report, selection of plant site, etc. to be used as a guideline for the project, should Council decide to proceed with the project. He said that "solid waste has become a moneymaker rather than something to be buried and that from here on out it will be used for energy." The cost figure, etc. will be put in writing for referral to Council. A consultant with a firm associated with Martin Associates reported on completed projects by the firm and gave detailed report on the company's, as well as his own qualifications. Mr. Driver told Council that he had been in contact with Mr. Liskey, Administrator of Rockingham Memorial Hospital, and Dr. Carrier, President of Madison College, both of whom are still very much interested in the heat recovery project, and their institutions being supplied with same in the future. Mayor Erickson said he would like to see the City live up to its slogan "City With a Planned Future", and offered an opinion that Solid Waste would be an important step. Councilman Green said he felt that the City should go along with the study locally, as previously agreed upon. Vice-Mayor Denton offered an opinion that the Landfill could be looked into from some other standpoints along with the Study. Following discussion, Councilman Cline moved that the firm of Deward Martin & Associates, Inc. present some preliminary plans, cost figures, etc., in writing, prior to the next regular meeting on March 23rd, for Council's consideration, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ Mr. John Sowers, Chairman of the Planning Study Committee appointed by Council concerning Parking Problems in Residential Areas Surrounding Madison College, was present in the meeting to present highlights of a written report compiled by the committee, following five meetings which had been held, to date. The report includes various reports, as well as statements and reports from both Rockingham Memorial Hospital and Madison College regarding their parking needs and present supply. Mr. Sowers noted that in as much as the present ordinance is not felt to be effective nor feasible in that it is based on complaints registered by property owners and residents, the committee had incorporated into its report six recommendations for implementation of a Resident Permit Parking Ordinance for the area bounded by I-81, Paul Street to S. Main Street and West Grattan on the north, C-W Railroad on the west and Port Republic Rd. on the south. Further recommended enforcement of permit parking from 8 AM to 6 PM Monday through Friday, and suggesting cost of permit to be nominal to cover administrative cost only, with fine for violation ranging from \$ 5.00 to \$ 25.00. According to Mr. Sowers, a total of 77 cars were found parked in the area on January 1st when Madison was on college break, as compared with 302 cars on January 22nd when school was in session. Following a lengthy discussion, questions and answers, Mayor Erickson gave assurance to Mr. Sowers and other members of the committee present in the meeting, that the comprehensive report would be reviewed by Council.

✓ City Manager Milam presented correspondence dated 3/1/76 from the Department of Mental Health & Mental Retardation, Commonwealth of Va., enclosing a revised statement of Grant for the Chapter 10 Board in amount of \$ 58,825. covering period 7/1/75 thru 6/30/76, which revision reflects an adjustment

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of local funds and fees for the Community Counseling Service as well as identification of Purchase of Services Match and revenue for the Pleasant View Home. It was requested that the acceptance form be signed by the proper city official and returned within 15 days from receipt of the letter, after which time the revision would be approved. Following a brief discussion, Councilman Dingleline moved that the Grant be accepted, with authorization for the City Manager to sign and return the form, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ Council was informed by City Manager Milam that under a change of By-Laws of the Central Shenandoah Planning District Commission, each governing body shall nominate one of their members to be placed in nomination to serve on an Executive Committee. There being a total of ten nominees submitted, the Commissioners will elect the seven nominees receiving the highest number of votes to serve as an Executive Committee. He suggested that the name of Vice-Mayor Denton be submitted. Following a brief discussion, Councilman Cline moved that Vice-Mayor E. Warren Denton, Jr.'s name be submitted for nomination, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council, with Mr. Denton abstaining.

✓ The City Manager pointed out the fact that it is very difficult for him to attend all meetings of the Shenandoah Valley Juvenile Detention Home Commission in that the meetings are mostly held during the day when he has other commitments. He suggested selection of an Alternate Delegate, or possibly someone to replace him, either from the school system or court system. Following a brief discussion, the City Manager was asked to check with possible appointee and report back to Council.

City Manager Milam called Council's attention to Section 2-145 of the City Code which provides that "one member of the Planning Commission shall be a member of the Administrative Branch," and questioned whether or not he could appoint someone to attend meetings of the City Planning Commission in his absence, and whether that individual would be allowed to cast a vote which would not be challenged from a legal standpoint. City Attorney Lapsley offered an opinion that the City Code language would have to be changed, should alternation of members be desired. No action taken by Council in that it was felt that the Planning Commission meetings should be a priority for regular attendance.

Councilman Dingleline moved that a supplemental appropriation in the amount of \$ 3,701.92 requested by the School Board Office in order to appropriate a donation received from the Harrisonburg Electric Commission to partially cover cost of repair of lights at Memorial Stadium, be approved for second and final reading, a first reading having been approved on February 24th, and that:-

\$ 3,701.92 chgd.to: School Fund (R-37) Receipts from Other Funds Rebates- (Realized Revenue)
3,701.92 approp.to: School Fund (2-1205-290.01) Maint. School Plant- Cont.Servs.-
Bldgs. & Grounds

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 \$ 476.00 representing reimbursement for General Relief Clients on which the Department of Social Services had paid emergency General Relief Assistance for Social Security. It was pointed out that the Department is required to pay such relief assistance for a client, until the first Social Security check is received, at which time the agency is repaid. Vice-Mayor Denton moved that the appropriation be approved, and that:-

\$ 476.00 chgd.to: VPA Fund (1005-2) Recoveries & Rebates.
476.00 approp.to: VPA Fund (05-8022-391.02) Bureau of Public Assistance- Gen. Relief

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

✓ A request was presented from the Director of Social Services for approval of an appropriation in the amount of \$ 50,000. in order to appropriate state and federal monies received for Aid to Dependent Children in that the funds would be used to meet expenditures. Following a brief discussion, Councilman Cline moved that the appropriation be approved for a first reading, and that:-

\$ 50,000. chgd.to: VPA Fund (05-604.05) Addtl State Funds Appropriates--Aid to
Dependent Children.
50,000. approp.to: VPA Fund (05-8021-394.01) Bureau of Public Assistance- Aid to
Dependent Children.

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

✓ A request from the Water-Sewer Superintendent was presented by the City Manager for approval of a supplemental appropriation in the amount of \$ 11,896.00 from the Water Fund Unappropriated Surplus Account in order to pay the Harrisonburg Electric Commission for demolition of buildings which had been condemned at Island Ford, on city owned land and site of the City of Harrisonburg's old Hydro Electric Plant constructed in 1910. Manager Milam reminded Council that HEC had requested some time ago that they be relieved of responsibility for the area and that it be placed under the City Water Department's supervision. Following discussion, Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

\$ 11,896.00 chgd.to: Water Fund - Unappropriated Surplus Account
11,896.00 approp.to: Water Fund (3-7-7700) Proj. #36-75-76- Capital Outlay-
Work in Progress- Project to tear down the Old Hydro Plant.

which motion upon being seconded by Councilman Cline, 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 a supplemental appropriation in the amount of \$ 3,375.72 in order to transfer monies received for participants' wages incurred during month of January 1976 (CETA Title VI(A) and Title II funds), as per agreement with the Virginia Employment Commission. Councilman Dingleline moved that the appropriation be approved for a first reading, and that:-

\$ 1,736.22 chgd.to: General Fund (1005) Non-Rev.Receipts- Recoveries & Rebates
1,639.50 chgd.to: General Fund (1005) " " " " "
1,639.50 approp.to: General Fund (11020-12.00) Wages
624.80 approp.to: General Fund (11020-12.01) Recreation Supvr-Title II

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\$ 513.92 approp.to: General Fund (11020-12.02) Athletic Supvr. Title II
 417.50 approp.to: General Fund (11020-12.03) Park Security Officer- Title II
 180.00 approp.to: General Fund (11020-12.04) Maint. Man.- Title II

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. Paul Quintrell of the City School Board Office for approval of a supplemental appropriation in the amount of \$ 3,000. in order to appropriate Federal Grant to provide for additional Instructional needs and other needs for Viet Nam Refugees. Following discussion, Councilman Green moved that the appropriation be approved for a first reading, and that:-

\$ 3,000. chgd.to: School Fund (R-28.2) Receipts from Federal Funds- Other Federal Funds- Refugees.

3,000. approp.to: School Fund (2-1209-200.06) Federal Programs- Viet Nam Refugees.
 which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Council.

✓ A request from Mr. Paul Quintrell of the City School Board Office was presented by the City Manager for approval of a supplemental appropriation in the amount of \$ 2,837.95 in order to appropriate receipts from Comprehensive Employment Training Act- Title VI Funds from the Commonwealth of Va., for the months of November and December, 1975. It was noted that eight individuals in the Schools' employ benefit from the funds. Following a brief discussion, Councilman Green moved that the appropriation be approved for a first reading, and that:-

\$ 2,837.95 chgd.to: School Fund (R-28A) Receipts from Federal Funds- Other Federal Programs CETA

700.00 approp.to: School Fund (1201-109.50) Other Inst.Costs- Comp. Teacher Aides- CETA

1,377.00 approp.to: School Fund (1201-134.50) Day School Inst.- Comp. Elementary Teacher- CETA

760.95 approp.to: School Fund (1205-119.50) Operation School Plant- Comp.Custodian- CETA

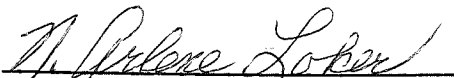
which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Council.

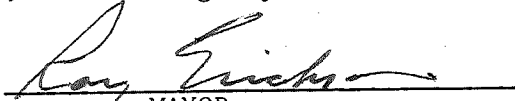
✓ The City Manager presented applications from five organizations for bingo permits for the calendar year 1976: Ladies' Auxiliary Hose Co. No.1; Ladies' Auxiliary Hose Co. No.4; Harrisonburg Lodge No.1686 Loyal Order of the Moose; B.P.O.E. Lodge 450 and Rion-Bowman Post 632 VFW. He noted that proper records had been submitted by each organization along with the permit fee, and that the Commissioner of Revenue had recommended granting of the permits. Following a brief discussion, Vice-Mayor Denton moved that the Commissioner of Revenue be authorized and directed to issue bingo permits to the five organizations for the calendar year 1976, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ In order to arrange a compromise for some of the problems existing, the City Manager recommended one of two proposals amending City Code Sec. 10-7 "Composition" (Fire Commission). After discussion, Manager Milam was asked to present the proposals to the Fire Commission for its reaction, and report back to Council.

✓ City Manager Milam, in referring to action taken by the Regional Sewer Authority at its last meeting, to apportion cost to each political subdivision, county, city and three towns (Bridgewater, Dayton, Mt. Crawford), which arrangement would breach a contract between the City of Harrisonburg and the Sewer Authority, already in effect, recommended that City Attorney Lapsley be authorized to file suit against the Authority for specific performance of that contract. He gave background information from 1970 when the Sewer Authority was established, noting that on June 24, 1975 (Council's regular meeting date), he had discussed the three remaining sewer lines (F,G,H), all of which are located in the County of Rockingham, and had pointed out the importance of these lines to serve residents in the Harrisonburg metropolitan areas, as well as completion of the total sewer system, namely: Hillandale, Belle Meade and Ashby Heights. Inasmuch as Rockingham County had not chosen to enter into the overall sewer project at that time, other than by one initial loan, the City Manager had recommended that the City of Harrisonburg assume entire cost of approximately \$ 761,485. with the following provision: that the City of Harrisonburg be entitled to operate and maintain the lines, as well as all connections along same. From this discussion, Council had pledged the full faith and credit of the City of Harrisonburg (by letter to Mr. Donald Phibbs, Chmn. of the Sewer Authority) for borrowing of local funds by the Sewer Authority, with interest rate not to exceed 7%, and had requested Mr. Don Litten to draw up an agreement for the interceptors incorporating therein the recommendation of the City Manager. This agreement was accepted by the Sewer Authority in July 1975. It was explained to the Governing Body that under the latest arrangement voted upon at the last Authority meeting, Rockingham County would derive control of 75,000' of sewer line at a cost of \$ 359,000., while the City of Harrisonburg would control "not one foot" of line for a cost of \$ 481,000. Vice-Mayor Denton asked City Attorney Lapsley how best to proceed in the matter. The City Attorney said "there is no doubt in my mind that there is a valid contract between the City of Harrisonburg and the Sewer Authority" and advised that a letter be written to the Authority reminding of the existing contract under which the City has been fulfilling its obligations through borrowing of local monies, payment of bills, etc. The matter was discussed at length, with no answer as to why the latest action had been taken by the Sewer Authority. Vice-Mayor Denton offered a motion that the City Council reaffirm its previous commitment of June 1975 and authorize the City Manager (serving as Treasurer of the Sewer Authority) to pay outstanding accounts not to exceed amount of \$ 343,488.27. Council was informed by the City Manager that on January 12th of this year he had informed Rockingham County, in a meeting, that the City of Harrisonburg was no longer interested in line H, unless funded, but had offered to negotiate all other lines, as well as line H, and pay fair share on same, excluding lines F & G. Vice-Mayor Denton withdrew his motion for lack of a second. Councilman Cline moved that the City Attorney be directed to write a letter to the Sewer Authority reminding of the contract existing between the City of Harrisonburg and the Sewer Authority as to lines F and G. This motion was seconded by Vice-Mayor Denton, and adopted by a unanimous vote of Council.

There being no further business and on motion duly adopted, the meeting adjourned at 11:15 P.M.


 CLERK


 MAYOR

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Tuesday, March 23, 1976

At a regular meeting of Council held this evening in the Council Chamber at 7:30 P.M. 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. Joseph Woody, pastor of Massanutten Presbyterian Church.

Minutes of the regular meeting held on March 9th were read and approved.

✓ Council was informed by the City Manager that the State Compensation Board would be meeting on April 13th in Richmond re. salaries and expenses of Constitutional Offices beginning as of July 1, 1976. He pointed out that the City Treasurer's Office and Commissioner of Revenue's Office salaries and expenses requested would be considered, and noted that anyone desiring to be heard must submit a request prior to the meeting. The report was for information.

✓ Correspondence dated 3/5/76 from Mr. Lowell Wenger of Rivendale, Inc., was presented and read by the City Manager. Appreciation was expressed for efforts made by officials of the City of Harrisonburg re a pre-application request for LEEA funds through a DJCP Grant in amount of \$ 10,096.00 for the 1976-77 fiscal year, and noting that the application would have to be withdrawn, at least for this year, in that the Title XX Funding Program had approved Rivendale as a vendor under Title XX funds. The report was for information.

✓ Manager Milam read correspondence dated 3/18/76 from the Director of Huckleberry House, Inc., (Emergency Home for children), requesting that consideration be given for them to receive the Division of Justice & Crime Prevention monies which had been applied for by Rivendale, Inc., and then withdrawn due to funding through Title XX Program. The City Manager told Council that an amendment would have to be made in order to save the \$ 10,096.00, which to his knowledge, has been allocated. He suggested the possibility of allocating the funds to the Juvenile Domestic Relations Court in that they would use same to place juveniles in the various homes. It was agreed that further consideration be given the matter, and the City Manager was asked by Council to place a call to determine if the next regular meeting on April 13th would be time enough for re-allocation of the funds.

Council was advised that Assistant City Manager Driver would be attending a meeting of the Department of Highways & Transportation on Monday, April 12th in Staunton, Va. The meeting is designed specifically to obtain citizens' advice in advance for preparation of tentative allocations of Interstate, Arterial, Primary & Urban Funds for the next fiscal year. The report was for information.

✓ Dr. Barbara Kenny, Director of the Rockingham-Harrisonburg Health Department, was present in the meeting to present each member of Council with a written clinic report for 1975 which included a total of 590 clinics, 1,111 new patients, 1,568 old patients, or a grand total of 2,679 patients. She noted that the VD Clinic is now in progress and that the Aftercare Program for Mental Patients has proven quite successful. Mayor Erickson thanked Dr. Kenny for the report.

✓ Assistant City Manager Driver reported that the proposal for Engineering Services for a Preliminary Report relating to a Solid Waste Energy Recovery System for Harrisonburg had been received from the firm of Deward Martin & Associates, Inc., and reviewed by himself and Mr. Paul MacGregor of the firm. He noted that the Proposal sets forth the study cost of \$ 22,500. as quoted at the last regular meeting of Council, and covers all aspects discussed as to updating of a report made five years ago for Harrisonburg and Rockingham County; selection of a plant site, etc., and recommended that the firm of Martin Associates which is most qualified be employed to make the study. Mr. Driver noted further that the report covers any type of refuse disposal rather than heat recovery alone, although heat recovery is the most economical to install. He again pointed out the fact that something would have to be done about the present Landfill within the next 5 years, but that since the study which would be completed after July of this year would be good for a period of 4 - 5 years, it would allow time for further consideration before any action is taken as to whether or not to go into the Solid Waste (heat recovery) project. Another point made by Mr. Driver was that the use of city manpower hours would cut the total cost of the study approximately \$ 9,000. The number of old tires which would be burned, would be one great asset to the program. The City Manager reported an item of \$ 10,000. in this year's budget which could be used to fund the study. Following discussion, Councilman Green moved that "based on the recommendations of the Assistant City Manager and City Manager, that the firm of Deward Martin & Associates, Inc., be employed to make the Solid Waste Study, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ A letter dated 3/17/76 from Mr. Larry Mohn, District Fishery Biologist of the Commission of Game and Inland Fisheries, was presented and read by the City Manager. The correspondence requested consideration of Council for the possibility of opening the Skidmore Fork Reservoir to public fishing. An offer was made that the Commission manage the lake and possibly provide financing for some facilities which the City may desire. It was also noted that the Forest Service has an interest in the recreational potential and may offer support. Mr. Mohn asked to be advised of Council's recommendations and an opportunity to meet with city officials & Forest Service representatives at the earliest convenience. Manager Milam pointed out the fact that there is still some work to be done prior to completion of the project, including seeding, and noted that plans for a dedication of the Dam are now in progress. He suggested that Council meet with the Parks & Recreation Commission and Planning Commission as well as others related to this project, as to its usage, in that it has been a sizable investment of the City, constructed primarily for water supply as well as flood control, and is one of the largest dams in the eastern United States for domestic use. He offered an opinion that input from all concerned as well as the general public should be derived as to recreation and other uses of the area. Mr. William Heatwole, Jr., owner of land above the Skidmore (Switzer) Dam, was present in the meeting to express concern regarding problems which would be created (i.e. pollution and upkeep of road), should the lake be opened for public fishing, and to point out the danger to even the best of swimmers because of extremely

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steep banks around the lake. Following a lengthy discussion, Councilman Green moved that the matter be referred to the Parks & Recreation Commission and Planning Commission for investigation and study, prior to scheduling of a public meeting, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ Councilman Cline moved that an appropriation in the amount of \$ 50,000. requested by the Director of Social Services in order to appropriate state and federal monies received for Aid to Dependent Children to meet expenditures, be approved for second and final reading, a first reading having been approved on March 9th, and that:-

\$ 50,000. chgd.to: VPA Fund (05-604.05) Additional State Funds Appropriated--
Aid to Dependent Children.

50,000. approp.to: VPA Fund (05-8021-394.01) Bureau of Public Assistance- Aid to
Dependent Children.

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

✓ Councilman Green moved that a supplemental appropriation from the Water Fund Unappropriated Surplus Account requested by the Superintendent of Water & Sewer in amount of \$ 11,896.00 in order to reimburse Harrisonburg Electric Commission for demolition of condemned buildings at the City's Old Hydro Plant Site at Island Ford, be approved for second and final reading, a first reading having been approved on March 9th, and that:-

\$ 11,896.00 chgd.to: Water Fund - Unappropriated Surplus Account.

11,896.00 approp.to: Water Fund (3-7-7700) Proj. #36-75-76- Capital Outlay-
Work in Progress- Project to tear down the old Hydro Plant.

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

✓ Vice-Mayor Denton moved that a supplemental appropriation in the amount of \$ 3,375.72 requested by the Recreation Director in order to transfer monies received for participants' wages incurred during month of January 1976 under CETA Title VI(A) and Title II funds as per agreement with the Virginia Employment Commission, be approved for second and final reading, a first reading having been approved on March 9th, and that:-

\$ 1,736.22 chgd.to: General Fund (1005) Non-Rev.Receipts- Recoveries & Rebates.

1,639.50 chgd.to: General Fund (1005) " " " " "

1,639.50 approp.to: General Fund (11020-12.00) Wages

624.80 approp.to: General Fund (11020-12.01) Rec. Supvr. Title II

513.92 approp.to: General Fund (11020-12.02) Ath. Supvr. Title II

417.50 approp.to: General Fund (11020-12.03) Park Sec. Officer- Title II

180.00 approp.to: General Fund (11020-12.04) Maint. Man.- Title II

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

✓ Councilman Cline moved that a supplemental appropriation in the amount of \$ 3,000. requested by Mr. Paul Quintrell of the City School Board Office, in order to appropriate Federal Grant to provide for additional instructional needs and other needs for Viet Nam Refugees, be approved for second and final reading, a first reading having been approved on March 9th, and that:-

\$ 3,000. chgd.to: School Fund (R-28.2) Receipts from Federal Funds- Other
Federal Funds- Refugees.

3,000. approp.to: School Fund (2-1209-200.06) Federal Programs- Viet Nam Refugees.

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

✓ Councilman Dingledine moved that a supplemental appropriation in the amount of \$ 2,837.95 requested by the City School Board Office in order to appropriate receipts from Comprehensive Employment Training Act- Title VI Funds from the Commonwealth of Virginia for months of November and December 1975 to pay employees of the School Department benefiting from same, be approved for second and final reading, a first reading having been approved on March 9th, and that:-

\$ 2,837.95 chgd. to: School Fund (R-28A) Receipts from Federal Funds- Other Federal
Programs CETA

700.00 approp.to: School Fund (1201-109.50) Other Inst. Costs- Comp. Teacher Aides-CETA

1,377.00 approp.to: School Fund (1201-134.50) Day School Inst.-Comp.Ele.Teacher- CETA

760.95 approp.to: School Fund (1205-119.50) Operation School Plant- Comp.Custodian-CETA

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

✓ A request from the Director of Social Services for approval of a supplemental appropriation in the amount of \$ 555.72 representing reimbursement received from Commonwealth of Virginia to cover the CETA worker (Title VI) for the Social Services Department. Following a brief discussion, Councilman Cline moved that the appropriation be approved, and that:-

\$ 555.72 chgd.to: VPA Fund (1005-2) Recoveries & Rebates.

555.72 approp.to: VPA Fund (05-8021-12.50) Personal Services--Eligibility Worker-
Title VI (Carol B. Showker--CETA)

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 \$ 440.00 in order to appropriate funds received from Travelers Insurance Co. to replace damaged ladder. Following discussion, Councilman Green moved that the appropriation be approved, and that:-

\$ 440.00 chgd.to: General Fund (1005.00) Recoveries & Rebates.

440.00 approp.to: General Fund (9020-212.00) Materials & Supplies

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

✓ City Manager Milam presented correspondence dated 3/11/76 from Riddleberger Bros.Inc., concerning amount due for completion of air conditioning of Municipal Building and putting same into operation, as

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well as heating and ventilation. He then presented a request from Mr. John Byrd, Jr., Building Official, for approval of an appropriation in the amount of \$ 5,000. from monies reserved for Municipal Building and Land, to be used to pay remaining amount due the plumbing firm. Following a brief discussion, Councilman Cline moved that the appropriation be approved for a first reading, and that:-

\$ 5,000. chgd.to: General Fund - Reserved for Municipal Bldg. & Land.

5,000. approp.to: General Fund (10210-73.00) Maint. Municipal Building-
Capital Outlay- Work on Building.

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

A request was presented from Recreation Director Gilkerson for approval of a supplemental appropriation in the amount of \$ 1,320.00 in order to transfer monies received for participants' wages incurred during months of November & December 1975 and January 1976, as per agreement with the Virginia Employment Commission under CETA-Title VI funds. Councilman Dingledine moved that the appropriation be approved for a first reading, and that:-

\$ 792.00 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

528.00 chgd.to: General Fund (1005) " " " " "

1,320.00 approp.to: General Fund (11020-12.50) Parks & Playgrounds- Wages-
Recreation Instr.- Title VI

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. Ralph Smith, Superintendent of Streets, for approval of a supplemental appropriation in the amount of \$ 4,889.48 in order to recover funds expended on CETA program. He noted that the department had been carrying the increases in cost since last August. He asked direction of Council with regard to either laying off of people or continuing the street projects until the end of the year, in that funds will be short for supplies (i.e.concrete,etc.), although funds are available for manpower. Councilman Cline moved that the appropriation be approved for a first reading, and that:-

\$ 4,889.48 chgd.to: General Fund (1005.00) Recoveries & Rebates.

(Title VI July \$ 590.82; Title VI Jan. \$ 1,699.20; Title II Oct. \$ 261.06;

Title II Nov. & Dec. \$ 1,282.40; Title II Jan. \$ 1,056.00)

2,599.46 approp.to: General Fund (1-10110-12.01) Laborer 1- Title II

2,290.02 approp.to: General Fund (1-10110-12.50) Temp.Laborer Title VI

which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Council. After further discussion, the City Manager was asked to bring in estimates of cost and other information concerning street projects, to the next regular meeting.

The City Manager presented and read correspondence dated 3/8/76 from Mr. Paul Quintrell, Director of Finance, Harrisonburg Public Schools, requesting consideration of authorizing an additional \$18,720.06 for the Keister-Spotswood Construction Fund, over and above the original \$ 752,297.50 approved by Council. It was explained that since that time, the School Board has authorized the following which were advertently omitted from the General contract: \$ 154.00 for addition of electrical outlets in the teacher's lounge and \$ 15,487. for basketball backstops and goals (2 stationary and 4 retractable). Also, an additional \$ 782.06 for architect fees based on amended contract and \$ 2,297.00 for Builders Risk Insurance printing & miscellaneous expenses not included in original request. City Auditor Shifflet pointed out that the additional funds were available in the Literary Fund Loan monies, and that this request would increase the School's Bonded Indebtedness. Following discussion, Councilman Green moved that the request of the School Board be approved, and additional amount authorized, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

City Manager Milam gave highlights of a lengthy Proposed Personnel Management System for the City of Harrisonburg prepared by Municipal Advisors, Virginia Beach, Va., a 2-year updating of the former Yarger report, including additional items and setting forth General Principles of installations and administration. He pointed out that Section 1-6 pertaining to appeals & grievances procedure had been turned over to the City Attorney for review and opinion. Copies of the report had been presented each member of Council prior to this meeting.

Council was reminded that the term of Mr. Gary D. Buennemeyer on the Industrial Development Authority would expire on April 24th (next month), and Mayor Erickson asked members' wishes concerning an appointment. Councilman Green moved that Mr. Buennemeyer be reappointed to the Authority for a term of four (4) years, expiring on April 24, 1980, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

Council was reminded by the City Manger that the 5-year term of Mr. Walter Trobaugh, Jr., on the Board of Zoning Appeals had expired on March 20, 1976 and that a recommendation should be made to the Circuit Court Judge of an appointment for the vacancy. Following a brief discussion, Vice-Mayor Denton moved that Mr.Trobaugh's name be recommended to the Judge for reappointment to the Board, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

City Manager Milam (voting delegate on the Shenandoah Valley Juvenile Detention Home Commission), reported to Council that since the last regular meeting of City Council he had checked with Mr. Wayne King, Superintendent of City Schools, concerning a qualified person who may serve as alternate delegate and attend meetings when he was unable to do so. He noted that Mr. King had notified that in his opinion, Mr. Jack Cavanaugh, Director, Home-School Relations, residing at 84 Laurel St., Harrisonburg, Va., would be most qualified for the position and that Mr. Cavanaugh had expressed a willingness to serve in this capacity, if desired by Council. Councilman Dingledine moved that Mr. Jack Cavanaugh be appointed to serve as Alternate Delegate on the Shenandoah Valley Juvenile Detention Home Commission, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

Council's attention was called to their copies of a revised Group Hospital Insurance Protection Plan submitted by Travelers Insurance Co. for the Harrisonburg Electric Commission and City of Harrisonburg employees, including changes which had taken place last year. The revision reflects an increase in hospital benefits, with no additional cost to the City or to the employees.

✓ City Manager Milam reported that since the last regular meeting he had written to the two captains and two presidents of Fire Companies No. 1 & 4 as well as all eight members of the Fire Commission re two proposals which he had presented to Council at the last meeting for amending Sec. 10-7 of the City Code titled "Composition". The consensus of all but one of those contacted was in agreement with Proposal No. 1 as follows: "The City Fire Commission shall consist of five members. The membership shall consist of one member of the City Council designated by the City Council, and two representatives designated by each of the two volunteer fire companies." He pointed out the fact that the Commission would have no power other than from an advisory standpoint and that the amendment would eliminate the Fire Chief and two Assistant Chiefs as voting members of the Commission. Following a brief discussion, the matter was deferred.

✓ The City Manager presented a statement from City Attorney Lapsley dated 3/10/76 advising that Mr. E. P. Shank had consulted with him re a problem he had encountered in moving the forklift from his place of business on Wolfe St. to the railroad siding on the C-W Drive recently, in that he was issued a ticket by a state trooper for operating an unlicensed piece of equipment on the streets. Attorney Lapsley offered an opinion that the City has the right to permit Mr. Shank to move this piece of equipment under its own power for the purpose of unloading on C-W Drive, so long as same is moved in daylight hours, observing proper safety precautions and all traffic regulations, and displaying a slow moving equipment symbol on the rear. A statement dated 3/12/76 from Police Chief Presgrave was presented as follows: "I have no objection to a waiver being granted in moving unlicensed forklift over city streets, restricted to the routes and destinations set forth in the City Attorney's statement (from place of business on Wolfe St. west to Liberty St., south to Bruce St., west on Bruce to C-W Drive. Return trip north on C-W Drive to Bruce, west on Bruce St. to High St., north on High St. to Wolfe, and east on Wolfe St. to Shank Beverage Co.)" A waiver, setting forth all requirements as drawn and signed by City Engineer Donn Devier, was presented along with the correspondence. The City Manager reminded Council that the city moves unlicensed equipment within the City as it is felt that authorization has been granted, but explained that any equipment moved into the County is loaded on a Low Boy. He offered an opinion that the waiver as drawn, covers only one piece of equipment and that something should be devised to cover other equipment. Following discussion, it was agreed that the City Attorney work with the Police Chief regarding the matter, and report back to Council.

✓ Vice-Mayor Denton, Chairman of a Finance Committee, along with Mayor Erickson and the City Manager, appointed by Council resolution January 23, 1973, pointed out the fact that since that time the committee had functioned as set forth in the resolution, namely: delivered memorandums to the City Treasurer requesting that certain excess or surplus funds in the city be invested in certificates of deposit at the local banks at the highest interest rate or return to the City, and apportionment of same equitably among said financial institutions. City Manager Milam noted that under the resolution, the committee was restricted to certificates of deposit investments, only. Councilman Cline asked if the committee could keep in mind looking at situations where interest rates may vary in other types of investments and said he would like to have a report of other rates which may be available. It was agreed that the Finance Committee look into the matter and report back to Council.

✓ The City Manager noted that one reason cases may be reduced this year, over last year, at the Juvenile Domestic Relations Court, as reflected in the annual report, could be the fact that some school officials are referring problems to their own psychologists, etc. rather than into the Court. He had been asked at the last meeting of Council to look into the situation and report back with an opinion. The report was for information.

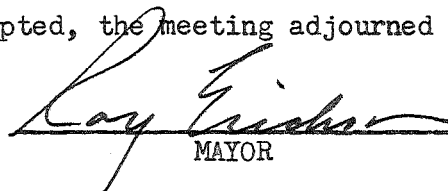
✓ Council discussed briefly the comprehensive report which had been presented each member by Mr. John Sowers, Chairman of the Planning Study Committee re parking in residential areas surrounding Madison College, at the last regular meeting. Following discussion, Councilman Green moved that the report 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.

✓ Councilman Green again issued a complaint concerning trash and other debris which is placed out in public view by a restaurant firm on W. Water Street. Council discussed the possibility of amending the present city ordinance by setting a time limit of how long trash, garbage, etc. could be placed on a street, prior to scheduled pickup. The City Attorney was asked to review the situation and report back.

Councilman Cline said he had received a complaint with regard to danger to children in a wooded section which is being used as a dumping area (Eastover Drive to Reservoir St.) near the Oakhill Apartments. No action taken at this time.

There being no further business and on motion duly adopted, the meeting adjourned at 10:17 P.M.


CLERK


MAYOR

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Tuesday, April 13, 1976

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. Edward Schwartz, pastor of Bethlehem Brethren Church.

Minutes of the regular meeting held on March 23rd were read and approved as corrected.

The following regular monthly reports were received and ordered filed:-

From the City Manager:-

A report of activities in the various departments and said office for March, 1976.

From the City Treasurer:-

A Trial Balance report as of close of business on March 31, 1976.

From the Police Department:-

A report of total number of arrests; cash collected from parking meter fines; 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 March, 1976.

A report of cash discounts saved during month of March, 1976 totaling \$ 574.53.

From the Utility Billing Department:-

A report of water, sewer & refuse accounts, new services, re-reads, complaints, etc. for month of March, 1976.

✓ City Manager Milam informed Council that the final plat for Pleasant Hill Acres Subdivision Sec. 6 had not been completed or received in his office as of late this evening, although it was listed on tonight's agenda for action by request of Robert Funk, Surveyor. He recommended that it be referred (when received), to the City Planning Commission for study and recommendation. Councilman Green moved that the recommendation of the City Manager be approved, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council.

✓ For Council's information, the City Manager presented a Notice of Petition in the Circuit Court of Rockingham County drawn by the law firm of Wharton, Aldhizer & Weaver, for Shenandoah Presbytery Corp., asking relief from the City of Harrisonburg for tax assessment upon its real property as provided under Section 58-12(5) of the Code of Va. 1950 as amended. He noted that the property in question is the former Mennonite Broadcasting System building situated on N. Main Street and that there is a question as to whether or not this property falls in the perimeter of the City Code. He will, in conjunction with the Commissioner of Revenue, draft an appropriate answer to the petition, and pointed out the fact that should it not be covered in the Code, the court will make final determination with regard to taxation.

✓ Linda Riggleman, a resident of Harris Gardens, presented a petition bearing 159 signatures, which petition requested safety precaution for school age children by construction of a sidewalk on N. Main St. (preferably the east side). She told Council that children were forced out into a drainage ditch when tractor-trailers pass by. Mrs. Judith Cordner, Manager of Harris Gardens, said that the matter had been presented to the City School Board and would be presented on April 27th at the Highway Safety Commission meeting. She referred to a booklet of Virginia School Laws re compulsory education with regard to public transportation being provided for students 10 years of age and older who walk a distance of two miles to and from school, and noted a distance of 2.6 miles from Harris Gardens to Harrisonburg High School and Thomas Harrison Junior High School. At the present time, according to Mrs. Cordner, the Salvation Army is transporting children through this present school year. Vice-Mayor Denton said it was his understanding that City Cab was willing to transport the children at no cost, but Mrs. Cordner noted that after contacting the Cab Company, she had tried to work out something on a pay basis, although she left Council under the impression that an offer had been made to transport at no cost. Mayor Erickson pointed out that pedestrian safety is a primary concern of Council and explained that construction of sidewalks is done on a share of cost between the City of Harrisonburg and property owners. Sidewalks are constructed by the City with no cost to the owner, only if same is on city owned land. Councilman Cline suggested to the residents of Harris Gardens who were present in the meeting, that the developer be contacted to cooperate in some manner re sidewalk construction. Councilman Dingleline moved that the matter be referred to the Harrisonburg Safety Commission for study and report back to Council, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council. The City Manager was asked to work out a sidewalk plan to be used as a guide, along with cost estimate for same, and presentation to Council.

Under City Ordinance 9-55, paragraph 21, seven (7) copies of the 1976-77 Harrisonburg Electric Commission budgets were distributed to members of Council by the City Manager.

✓ For information, the following resolution was read by the City Manager:-

WHEREAS, the Municipal Electric Power Association of Virginia has conducted its annual meeting in the City of Harrisonburg; and

WHEREAS, the association is very appreciative of the facilities, service, and especially of the hospitality extended unto the Association by the City of Harrisonburg and its officials; now, therefore,

BE IT RESOLVED that the Municipal Electric Power Association of Virginia extends its warm appreciation unto the City of Harrisonburg, and especially unto the Honorable Roy H. Erickson, Mayor of Harrisonburg, Mr. Marvin B. Milam, City Manager, Mr. Kenneth J. Frantz, General Manager of the Electric Commission, City of Harrisonburg, Mr. Mr. Gary Green, with the Electric Commission, City of Harrisonburg."

Mayor Erickson noted that he had welcomed the group at the beginning of their meeting.

✓ Manager Milam reported that he had advertised in the Daily News Record newspaper on March 27th, April 3rd and 5th for sealed bids on six (6) city owned lots numbered 13-18 in Block J, sheet 33, City Block Map, property located on the corner of Sterling and Effinger Streets (former Exchange Club Park). He reminded Council that these were the lots intended for relocation of houses from Cantrell Avenue construction, but that the project had been abandoned due to excessive cost of moving same, and added further that an appraisal on the lots was \$ 18,000. As set forth in the block newspaper Ad, he then opened and read aloud the one and only bid received, namely:- Trustees of John Wesley United Methodist Church for amount of \$ 10,000. proposed as new site for the present church situated on N. Liberty St. Manager Milam suggested that the bid be referred to the Planning Commission for their opinion, unless Council desired to either accept or reject the bid at this time. Following a brief discussion, Councilman Green moved that the bid be referred to the City Planning Commission, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council.

✓ City Manager Milam informed Council that since the last regular meeting at which time Rivendale, Inc. had advised that they would withdraw an application for DJCP Grant of \$ 10,096.00 in that it had

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been approved for funding under Title XX, and at which meeting correspondence from Huckleberry House had requested that it be named recipient of the Grant, he had contacted the Planning District Commission to determine whether or not this meeting would be in time to act on a request for reallocation of the funds. Mr. Peter Hall of the Commission informed Council that although they had been contacted by Huckleberry House re the Grant, it would be necessary for the Governing Body to request, in writing, a transfer of funds or an amendment to the application, prior to a Commission meeting scheduled for April 17th, before actual filing of the application. Mr. Claude Simmons, Director of Huckleberry House, reported on the Home's program, short term care (maximum 30 days) for displaced children, and stressed the need for care of older children. He pointed out that funds through CETA Title VI was the only outside funding received, other than through private and public contributions and appropriations from the governing bodies. Mr. Simmons, in answer to a question raised, said that priorities would be based on support and the Commission representative noted that this could be entered as a provision in the Grant. The attorney for Huckleberry House informed Council that last year the Home had been understaffed and the Director terminated, but that the beginning of this year it was necessary to re-staff and also for various renovations of the Home to be made, etc., which actions will make it possible to receive more cases. He noted that more staff was necessary in order to operate 24 hours a day to keep close watch on youth confined in the Home, to watch for danger of fires, etc. After discussion, Councilman Cline moved that the City Manager be directed to write a letter requesting a transfer of the Grant funds to Huckleberry House, to the Planning District Commission Chairman, prior to the April meeting, which motion upon 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 \$ 5,000. from the Municipal Building & Land Reserve Account in order to pay amount due Riddleberger Bros, Inc. for completion of air conditioning, heating & ventilation of the Municipal Building, be approved for second and final reading, a first reading having been approved on March 23rd, and that:-

\$ 5,000. chgd.to: General Fund - Reserved for Municipal Building & Land.

5,000. approp.to: General Fund (10210-73.00) Maint. Municipal Bldg.- Capital Outlay-
Work on Building.

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

✓ Councilman Cline moved that a supplemental appropriation in the amount of \$ 4,889.48 requested by the Superintendent of Streets in order to recover funds expended on CETA program, be approved for second and final reading, a first reading having been approved on March 23, and that:-

\$ 4,889.48 chgd.to: General Fund (1005) Recoveries & Rebates-

(Title VI July \$ 590.82; Title VI, Jan. \$ 1,699.20; Title II, Oct., \$ 261.06;

Title II, Nov. & Dec. \$ 1,282.40; Jan. \$ 1,056.00)

2,599.46 approp.to: General Fund (1-10110-12.01) Laborer 1- Title II

2,290.02 approp.to: General Fund (1-10110-12.50) Temp.Laborer- Title VI

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

✓ Councilman Cline moved that a supplemental appropriation in the amount of \$ 1,320.00 requested by the Director of Parks & Recreation in order to transfer monies received for participants' wages incurred during months of Nov. & Dec 1975 and Jan. 1976, as per agreement with the Va. Employment Commission, be approved for second and final reading, a first reading having been approved on March 23, and that:-

\$ 792.00 chgd.to: General Fund (1005) Recoveries & Rebates- Non.Rev. Receipts.

528.00 chgd.to: General Fund (1005) " " " " " "

1,320.00 approp.to: General Fund (11020-12.50) Parks & Playgrounds- Wages- Rec.Instr.-Title VI

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 a supplemental appropriation in the amount of \$ 555.72 to cover costs (salary) for CETA employee in the department with the federal funds. Following a brief discussion, Councilman Dingledine moved that the appropriation be approved, and that:-

\$ 555.72 chgd to: VPA Fund (1005-2 Rev.) Recoveries & Rebates.

555.72 approp. to: VPA Fund (05-8021-12.50) Bureau of Personal Services--

Eligibility Worker--Title VI (CETA) Diane E. Glick

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

✓ City Manager Milam reminded Council that the matter of continuing the program of street projects with the use of labor under the Comprehensive Employment & Training Act had been discussed at the last regular meeting, following a request from Mr. Ralph Smith, Superintendent of Streets, on how to proceed in that funds were available for manpower through the summer months, but insufficient for supplies and materials needed for the work. In as much as he had been asked at that meeting to bring in cost estimates and further information concerning proposed street projects, he reported as follows: an amount of \$ 105,062.50 is presently in an account "Reserve for Street & Highway Construction," which in his opinion, should be liquidated and funds used to complete and add new street projects. He presented a proposed work schedule for April, May and June, 1976, estimated at above amount, to include curb & gutter constructions, surface treatment, storm drain installation & extensions, and miscellaneous supplies, as well as construction of Westover Park parking lot and entrance road. It was pointed out by the City Manager that unless the entire amount, or any portion of same was put to use, it would be re-invested and the City Auditor noted that at the end of June 1976, this amount would go back into surplus, if unencumbered. Councilman Cline called Council's attention to an earlier recommendation by the Street Superintendent for sidewalk construction leading into the various school areas, and offered an opinion that this should be a priority in order to meet minimal safety requirements for school children. Council agreed that this could be taken into consideration and Manager Milam said it could be attached as a part of the work program. Vice-Mayor Denton suggested that if possible, after checking with the various departments, some employees might be transferred to departments where there may be greater need for their services. Manager Milam told Council that should this amount be approved, certain Capital Outlay requests would be deleted from the 1976-77 budget requests, in order to avoid duplication by use of the reserve funds. Councilman Green suggested that the City Manager pass the word to the various department

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heads of cuts on their capital outlay requests, explaining reason for same. Council was informed that the Budget for 1976-77 would not be finalized until a decision is reached re liquidation of the Reserve Account. Following a lengthy discussion, Councilman Dingleline moved that an appropriation in the amount of \$ 105,062.50 to liquidate the account "Reserve for Street & Highway Construction" be approved for a first reading with the recommendation for sidewalk construction in school areas to be considered along with the proposed program outlined by the City Manager, and that:-

\$ 105,062.50 chgd.to: General Fund - Reserve for Street & Highway Construction.

12,000.00 approp.to: General Fund (1-10110-12.00) Wages.

4,800.00 approp.to: General Fund (1-10110-12.01) Laborer 1- Title II

7,200.00 approp.to: General Fund (1-10110-12.50) Temp.Laborer-Title VI

42,762.50 approp.to: General Fund (1-10110-275.01) Maint. & Repairs- Highways & Streets.

23,300.00 approp.to: General Fund (1-10110-275.03) Maint. & Repairs- Work in Annexed Area

15,000.00 approp.to: General Fund (1-10110-77.11) Capital Outlay- Parking Lot at Westover Park.

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 Assistant City Manager Driver for approval of an appropriation in the amount of \$ 20,732.30 in order to transfer Title II and Title VI funds received from the Virginia Employment Commission for months of Nov.-Dec. 1975 and Jan.-Feb. 1976, to proper accounts. He reported the various accounts that would receive portions of the transfer for Council's information. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

\$ 3,028.80 chgd.to: General Fund (1005) Recoveries & Rebates- Title II- Jan.& Feb. 1976

17,703.50 chgd.to: General Fund (1005) Recoveries & Rebates- Title VI- Nov. & Dec. 1975

2,672.39 approp.to: General Fund (4035-12.50) Data Processing Programmer- Wages-Title VI

1,707.32 approp.to: General Fund (4040-12.50) Purchasing- Wages - Title VI

1,040.29 approp.to: General Fund (6015-12.50) Police Court- Wages- Title VI

1,092.00 approp.to: General Fund (9010-12.01) Police Court- Traffic Controller-Wages-Title II

7,063.60 approp.to: General Fund (9020-12.50) Fire Dept.- Fireman-Wages- Title VI

1,293.00 approp.to: General Fund (9010-12.50) Police Dept.- Wages- Title VI

1,936.80 approp.to: General Fund (10110-12.01) St.Inspection-Laborer-Wages-Title VI

3,273.60 approp.to: General Fund (10110-12.50) St.Inspection-Temp.Labor- Wages- Title VI

480.00 approp.to: General Fund (11020-12.50) Recreation Dept.-Instructor-Wages- Title VI

173.30 approp.to: General Fund (11020-12.51) Recreation Dept.- Park Maint.Supt.-Wages,Title VI

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

A request was presented from Mr. Paul Quintrell, Director of Finance, Harrisonburg City Schools, for approval of a supplemental appropriation in the amount of \$ 5,346.37 in order to appropriate funds received from Title VI Comprehensive Employment & Training Act (CETA), and setting forth various uses for same. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

\$ 5,346.37 chgd.to: School Fund (R-28A) Receipts from Federal Funds- Other Federal Funds- CETA

125.00 approp.to: School Fund (1200-135.50) Administration-Comp.Adm.Sec.- Title VI

1,462.50 approp.to: School Fund (1201-109.50) Other Inst.Costs- Comp.Teacher Aides (CETA)

125.00 approp.to: School Fund (1201-109.51) Other Inst.Costs- Comp.Clerk- Ass't Instr.-Title VI

2,956.50 approp.to: School Fund (1201-134.50) Day Sch.Inst.-Comp.-Elem.Teachers- CETA

600.75 approp.to: School Fund (1205-119.50) Operation School Plant- Comp-Custodial- CETA

76.62 approp.to: School Fund (1206-295.50) Fixed Charges- CETA

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

A request was presented from Mr. Cecil Gilkerson, Director of Parks & Recreation, for approval of a supplemental appropriation in the amount of \$ 3,477.08 in order to transfer monies received for participants' wages incurred during month of Feb. 1976 under CETA-Title VI(A) as per agreement with the Virginia Employment Commission. Councilman Dingleline moved that the appropriation be approved for a first reading, and that:-

\$ 1,637.08 chgd.to: General Fund (1005) Non-Rev.Receipts- Recoveries & Rebates.

1,840.00 chgd.to: General Fund (1005) " " " " " "

1,840.00 approp.to: General Fund (11020-12.00) Parks & Playgrounds-Wages-Title VI(A)

568.00 approp.to: General Fund (11020-12.01) Rec.Supvr. Title II

467.20 approp.to: General Fund (11020-12.02) Ath. Supv.- Title II

400.00 approp.to: General Fund (11020-12.03) Park Sec.Officer- Title II

201.88 approp.to: General Fund (11020-12.04) Maint.Man- Title II

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

City Manager Milam reminded Council of two vacancies on the Building Code Board of Appeals since November 30, 1975, and Mayor Erickson asked members if there were any nominations at this time. Councilman Green moved that Mr. W. Richard Fleming, electrical engineer, residing at 474 Myers Ave. be appointed to the Board for a term of four (4) years expiring on November 30, 1979, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council. Councilman Dingleline moved that Mr. Edward L. Foerster, Jr., chemical engineer, residing at 1230 Moffett Terrace, be appointed to the Building Code Board of Appeals for a term of four (4) years, expiring on November 30, 1979, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

With regard to the expiration of Mr. Philip Stone's term on the Chapter 10 (Mental Health & Mental Retardations Services) Board, as of January 1, 1976, Mayor Erickson reported that the City Manager had received a letter from the Board stating that Mr. Glenn Hodge, an associate of Wharton, Aldhizer & Weaver Law Firm, would be happy to serve, should Council so desire. Councilman Cline moved that Mr. Hodge be appointed to the Chapter 10 Board for a term of three (3) years, expiring on January 1, 1979, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ The mayor reported for information that he had received a visit from Mr. Whitehead of the Department of Civil Defense, asking progress on the City's appointment of a Coordinator, and that he had advised that Council was not prepared as yet to submit a name.

✓ Council was reminded that the term of Mr. Dwight E. Miller on the Industrial Development Authority would expire on April 24th this year, and Mayor Erickson asked members' wishes concerning an appointment. Councilman Green moved that Mr. Miller be reappointed to the Authority for a term of four (4) years, expiring on April 24, 1980, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ The City Manager presented correspondence from Mr. Wayne King, Superintendent of City Schools, calling attention to the fact that the terms of Katherine A. Depoy and Robert A. Furr, Jr., on the City School Board, would expire June 30th of this year, with Mr. Furr eligible for a second term and Mrs. Depoy completing the unexpired term of Dr. McFarland who moved out of the City. Councilman Dingleline moved that Mrs. Depoy be reappointed to the Board for a term of three (3) years, expiring on June 30, 1979, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council. Vice-Mayor Denton moved that Mr. Furr be reappointed to the School Board for a term of three (3) years, expiring on June 30, 1979, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ Correspondence dated 3/29/76 from Mr. Robert Hartt, Executive Secretary of the Harrisonburg Retail Merchants Association, was presented by the City Manager, requesting permission to hold a Spring Festival on April 23, 24 and 25th (Thursday thru Saturday), with events to include musical groups in the downtown area, probable arts & crafts with appropriate booths for display, only, and lemonade stands or something similar at various places in front of stores which would require a selling type unit and would possibly be manned by scouts. Chief Presgrave said he could see no problems here, other than should the booths be such size as to hinder passage of pedestrians. Following a brief discussion, Councilman Cline moved that the request be granted, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council.

✓ For information, City Attorney Lapsley reported that he had submitted the name of Mr. Walter Trobaugh, Jr., for reappointment to the Board of Zoning Appeals, as requested by Council, and that the Judge will sign the order.

✓ The City Attorney reported that since the last regular meeting of Council, he had discussed the matter of moving unlicensed vehicles on city streets, which was brought up by one isolated incident, with the Chief of Police. It is felt that the issuance of permit situation for all types of equipment could create problems and noted that a section in the Virginia State Code covers moving of certain equipment. As a result, both he and the chief would recommend that no change be made in the City's present policy, and handled on a case to case basis. The recommendation met with Council's approval.

✓ City Attorney Lapsley reported that he had discussed with the City Manager and Chief of Police the matter of refuse which is being piled in public view on W. Water St. which matter has been of great concern for some time, and offered an opinion that the best solution would be the setting of a time limit for trash, garbage, etc. to be placed outside a building, prior to city pickup. He offered an opinion that the matter should be looked into by the City Staff prior to making any concrete decision re a timetable, and said he would have a recommendation ready by the next regular meeting. Assistant City Manager Driver said that the manager of Spanky's Delicatessen, would like the City to provide Saturday pickup (city employees' day off) and that the city staff had offered free access to the city landfill for hauling his own refuse there on Saturdays. Mayor Erickson offered an opinion that a solution to the problem should be arrived at on the next regular meeting date.

✓ With regard to the matter discussed in the last meeting of looking into other sources for investment of excess city funds by the finance committee, which may have better returns to the City, the City Attorney reported for information that the state code restricts both Certificates of Deposit and Escrow Funds for deposit in state & federal banks. Councilman Cline said that he had no particular institutions in mind at the time he presented the matter for consideration, but had merely stated a general question.

Council received special reports from the City Auditor as follows: Revenues for 9 month period ended March 1966 and 1976; expenditures for same period of time, and budget appropriations 1965-66 to 1975-76. The reports were for information only.

For information, a list of water accounts due the City of Harrisonburg by consumers, some of whom were no longer in the City, deceased, or unknown, after any deposits on same were applied, as submitted by City Treasurer Firebaugh, was presented by the City Manager. The report showed a total amount due of \$ 4,106.96, with only \$ 809.86 collected. Mayor Erickson made a statement that this could mean deposits required are not in sufficient amount.

The City Manager presented letters from the City Treasurer and Commissioner of Revenue which accompanied their salary and expense requests for the fiscal year 1976-77, which will be presented to the State Compensation Board in Richmond. These were received by Council, for review.

✓ Vice-Mayor Denton registered a complaint from Mr. Ronald Powell re the dangerous intersection at South Ave. and South High Street. No action taken in that this matter has been a long standing one and could be somewhat changed under the project of widening S. High from Grace St. southward.

There being no further business, Vice-Mayor Denton moved that the regular session adjourn at 10:40 PM and that Council go into an executive session to discuss some legal matters on request of the City Attorney, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

N. Delene Loper
CLERK

Log Erickson
MAYOR

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Tuesday, April 27, 1976

At a regular meeting of Council held in the Council Chambers 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., 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 The Rev. Edward Schwartz, pastor of Bethlehem Brethren Church.

Minutes of the regular meeting held on April 13th were read, and approved as corrected.

City Manager Milam informed Council that he had received by certified mail, notification to the public of a proposed rate increase by Columbia Gas of Virginia, Inc., on which a public hearing is scheduled for 10:00 A.M., June 1, 1976, in the Commission's Courtroom, Blanton Bldg., Richmond, Va. Anyone desiring to participate as a protestant, offer evidence, etc., must file and serve a notice of protest on or before May 1st. The City Manager said anyone desiring to attend, be at the Courtroom by 9:45 A.M. on June 1. The report was for information only.

For information, Council was informed of notice received from the Virginia Municipal League which included information concerning six informational and educational meetings of one day each, along with date and location of each. Manager Milam pointed out that the nearest one to Harrisonburg would be held in Culpeper, Va., Holiday Inn, on Thursday, May 6. Mayor Erickson noted that the meetings would deal with legislative matters as well as project needs of cities and counties in Virginia.

Correspondence was presented regarding proposed subdividing of lots 30, 31 and 32 in Section 1, Southampton Subdivision. The City Manager pointed out the area on a map and recommended that it be referred to the City Planning Commission for study and recommendation. Councilman Dingledine moved that the recommendation of the City Manager be approved, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

City Attorney Lapsley presented a proposed ordinance amending Sections 9, 12, 13 and 14, and adding new Sections 13.1 and 22, to Chapter 12 of the City Code, with regard to method of residents and businesses handling junk, garbage and refuse, prior to and following City pickup, which matter had been discussed at several recent meetings. Amendments include "refuse shall be placed for pickup no sooner than 6:00 P.M. on the day before the scheduled pickup and no later than 7:00 A.M. on the day of the scheduled pickup; empty cans and containers shall be removed from the pickup point within twelve hours after pickup." New section 12-13.1 deals with the sweeping or otherwise removing of dirt, trash or refuse from a building, onto a sidewalk, and new section 12-22 with enforcement for violations of the entire Chapter 12. After hearing highlights of the ordinance explained by the City Attorney, Vice-Mayor Denton moved that it be approved for a first reading, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Councilmen present.

The following three recommendations were presented and read by the City Manager, as submitted by the Planning Director from a meeting of the Commission held on April 2, 1976, all of which requests concerned having been referred to the Commission by Council:-

- (a) "Concerning the citizens' petition seeking rezoning of Pleasant Hill Acres-East, from R-2 Residential to R-1 Single Family District, the Commissioners reviewed the public hearing minutes and Mr. Sullivan added that Mr. B.C. Clemmer, owner of the undeveloped portion of land, has visited the office since the hearing and expressed full support for the change to R-1. Dr. Shank offered a motion that the Planning Commission recommend rezoning Pleasant Hill Acres-East from R-2 to R-1. Mrs. Bowman seconded the motion and all members present voted in favor."
- (b) "Concerning the west side of South Main Street's 1300 block, a petition to rezone the 14 lots from R-3 Multiple Family Dwelling District to B-2 General Business had been submitted by Mr. Bill V. Neff and Mr. Bruce Forward. Two of the property owners did not sign the petition and they opposed the rezoning during the public hearing. Mr. Williams stated that he felt the R-3 zoning category for the 1300 block of S. Main St., which was just passed on February 10, 1976, needs a chance to be implemented. Also, if rezoned to B-2 now, the present 3-lane street will not be able to handle traffic ingress and egress conveniently, and available B-2 vacant sites are located in the general vicinity just two blocks south of this block. Mr. Williams moved that the Planning Commission recommend denial of this rezoning request and Dr. Shank seconded the motion. Chairman Gilkeson asked for the definition of a 'Plan of Development' which appears in the Zoning Ordinance and after the Director read it, Attorney Steve Bradshaw (representing Messrs. Neff and Forward) said there was really no way a precise plan can be drawn up at this stage. There being no further discussion, the motion to deny the request passed unanimously."
- (c) "Concerning the northeast corner of South Main Street and Port Republic Road (Mr. Gary Judd's request for rezoning from R-1 to R-3), Mr. Williams stated that while there is a court order for the sale of the property, he could not support the zoning. He offered a motion to deny the request. Mrs. Bowman seconded the motion and all members present voted to support the denial."

Planning Director R.J. Sullivan, Jr., noted that the Commission had held its public hearing on the three aforesaid rezoning requests on March 17, 1976, pointed out all the areas on a map, and said it was his understanding that a request would be made for a public hearing to be held by City Council on the South Main rezoning request for the 1300 block, on which the Commission had recommended denial. He explained that any change in zoning which is approved by the Planning Commission, automatically necessitates the holding of a Council hearing, but that if there was no opposition to a denial recommendation by the Commission, Council could act on same. Attorney Stephen Bradshaw, present in the meeting, requested a public hearing on the 1300 block request, and Gary Judd requested a hearing on the property situated at the corner of S. Main St. & Port Republic Road. Manager Milam informed Council that the earliest possible

date for a Council hearing, in keeping with time element required for advertising of same, etc., would be on May 25th, the same time he has anticipated the advertising of a Budget Public Hearing. He recommended that the rezoning request hearings be scheduled for Council's first meeting in June (June 8), 7:30 P.M. Following discussion, Vice-Mayor Denton moved that the City Manager be authorized and directed to properly advertise June 8th for a public hearing of Council to cover the three rezoning request, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ The following recommendation submitted by the Planning Director from a meeting of the Commission held on April 21, 1976, was presented and read by the City Manager:-

"...The Director reported that City Council received one bid for the advertised sale of the former Exchange Club Park, located on the corner of Sterling & Effinger Streets. The Board of Trustees of John Wesley United Methodist Church has offered \$ 10,000. for the approximately one acre site. City staff members discussed the offer and Recreation Director Gilkerson stated that his department removed all play equipment two years ago when the new Northeast Park opened east of Simms School. The question of a true value of the property was discussed and the \$ 10,000. offer was considered too low. Dr. Shank offered a motion that the Planning Commission recommend to City Council that the offer by John Wesley United Methodist Church be accepted. Mrs. Bowman seconded the motion and all members present voted in favor..."

Mayor Erickson asked members' wishes re the recommendation. Councilman Cline moved that the bid be accepted as recommended by the Planning Commission, and Councilman Dingledine seconded the motion. Assistant City Manager Driver offered an opinion that a stipulation regarding installation of utilities should be considered prior to selling the lots for \$ 10,000. in that it would cost the City approximately that amount for same. He stated further that the Church should agree to put the utilities in, for the purchase price of their bid. City Manager Milam informed Council that water and sewer are available on Myrtle St., but lines would have to be run to the lots which are located at Sterling and Effinger Streets. It was noted that single family lots for low cost housing under FHA loans could be sold for \$4,000. per lot. At this point in the discussion, Councilman Cline withdrew his motion to accept the bid, and Councilman Dingledine who had seconded the motion, concurred in the withdrawal. It was agreed that the matter be held for further consideration until the next regular meeting, and the City Attorney was asked to check on original cost of the lots to the City of Harrisonburg, for report on May 11th.

✓ The City Manager presented and read the following recommendation submitted by the City Planning Commission from its meeting on April 21, 1976:-

"...A request by Rockingham Cooperative Farm Bureau to have a 30' wide 'Alley Street' closed was reviewed. Mr. Sullivan showed the Commissioners the location of said alley, about 440' south of Grace Street, running east-west from C-W Railroad tracks to Chesapeake Ave. The Farm Bureau owns the properties on both sides of the alley under discussion and the Chesapeake Western Railway has stated 'no objection' to the proposed closing according to a letter dated 4/12/76 from Mr. Franke, General Manager. Mr. Sullivan reported that the City has no sewer, water or electric lines in the alley. Mr. Williams moved that the Commission recommend closing the 240' length of 'Alley Street' as shown on maps and ask that City Council appoint the Board of Viewers to visit the site and turn in their findings. Mrs. Bowman seconded the motion and all members present voted in favor..."

Following discussion, Vice-Mayor Denton moved that Council appoint the following four persons to serve as a Board of Viewers to view Alley Street and report, in writing, whether or not there would be any inconvenience in the closing of same, and if so, what:- Messrs. P. H. Hardy, T. H. Lowery, John H. Byrd, Sr. and R.T. Benson. The motion was seconded by Councilman Cline and adopted by a unanimous vote of Councilmen present.

✓ The following recommendation submitted by the Planning Director from a meeting of the Commission held on April 21, 1976 was presented and read by the City Manager:-

"...Mr. Glenn Hodge, Attorney, and Mr. Kenneth Patrick of Annapolis, Md., were present to review the numerous steps between H.U.D., the Veterans Administration, and between James F. Sheehan et al and Mr. Patrick who is buying the 25 acre 'Northfield Estates' tract in northeast Harrisonburg. Mr. Hodge requested the Commissioners to consider 'reinstating' its recommendation of December 17, 1975 regarding the Final Plans for Sections 1 & 2. Mr. Hodge added that he and Mr. Donald Showalter, attorney for James F. Sheehan et al expect to be able to get the Final Plans recorded within a few days. Mr. Sullivan showed the Commissioners the new wording on the Final Plans as required by H.U.D. concerning the dedication of common areas in this R-4 Planned Unit Development. Mr. Sullivan also asked that a copy of the proposed homeowners association covenants, as approved by H.U.D., be submitted to the City Attorney and planning office. Dr. Shank then offered a motion that the Planning Commission 'reinstate' its recommendation approving Sections 1 & 2 of Northfield Estates Subdivision. Mr. Williams seconded the motion and all members present voted in favor..."

Planning Director Sullivan explained that the request for Sections 1 & 2 had been presented to Council in December 1975, which was delayed in January due to the project up E. Washington St. to north of Simms School. Following official approval of the request by Council, Mayor Erickson signed the documents on January 14, after which time the developer failed to return to Harrisonburg for quite some time. However, in February of this year, the plats were picked up and all seemed to be "go" on the project. With no immediate followup, Mr. Sullivan reported that on March 25th he wrote Mr. Patrick, owner of Northfield Estates, Inc., sending copies of the letter to local attorneys involved, advising that two months had gone by with no recordation of the plat. The matter was placed on the Planning Commission's agenda for the April 21st meeting at which time representatives were present and presented the plats, explaining that the federal government had requested notations on the plat, including dedication of common areas, in that the parking lots, as arranged, would result in parking in front of the townhouses. The plats, showing some of the common area as green area and some for access or parking, as changed by the Department of Housing & Urban Development (H.U.D.), were presented to the Commission, with assurance that all was in readiness for the same to be recorded at the County Court House. Following discussion, Councilman Dingledine moved that the recommendation of the Planning Commission approving Sections 1 & 2

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of Northfield Estates Subdivision be approved, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ City Manager Milam presented and read the following recommendation submitted from an April 21, 1976 meeting of the Planning Commission:-

"...The Final Plan for Pleasant Hill Acres-East Subdivision, Section 6, containing 23 single family lots was reviewed by the Commission. Mr. Sullivan went over staff comments on the Subdivision Review Sheet, emphasizing the points regarding establishment of the 20' storm drainage ditch to be constructed from Central Avenue between lots 26 & 27 to Pleasant Hill Road along the back lot lines of lots 1-6 and 27-32. Also, houses on lots 1-5 and 28-31 are to be constructed with finished floors no lower than 1.5' above Emery Street curb elevations. No basements will be constructed on these lots. Storm water will be piped from lot 20 to the storm drainage easement at lots 26-27, and Central Avenue will be widened by 10' with curb and gutter to be installed by the developer to Pleasant Hill Road 30' from the existing center line when the City rebuilds this street. Mr. Robert Funk, surveyor for the developer, was present to confirm the points outlined. Recalling that cautious concern has been expressed and strict follow-up is extremely important regarding this lower portion of Pleasant Hill Acres, Mr. Williams moved that the Planning Commission recommend approval of the Final Plan for Section 6, Pleasant Hill Acres-East Subdivision.

Mrs. Bowman seconded the motion and all members present voted in favor..."

Planning Director Sullivan pointed out the area on a map and noted that a 10' dedication by the developer would increase Central Avenue from a 50' to a 60' street. Assistant City Manager Driver made an observation that some water may accumulate in yards during severe storms in that the drainage ditch will be only 18" in depth. Mr. Sullivan replied that the curb & gutter would relieve the situation to some extent. City Manager Milam offered an opinion that the development would enhance the area. Following discussion, Councilman Cline moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.

✓ The following recommendation submitted by the Planning Director from a meeting of the Commission held on April 21, 1976 was presented and read, concerning proposed joint planning studies between Rockingham County and the City of Harrisonburg:-

"...Mr. Lloyd Schlicker, County Planner, reported to the City Planning Commissioners that the County Board of Supervisors has passed a resolution supporting cooperative planning between the county and the city during the upcoming fiscal year. Mr. Schlicker described his county planning department's efforts to draw up 'community planning units' for all sections of the county, one such unit being the area including Harrisonburg, Dayton, Bridgewater, Mt. Crawford and south-central Rockingham County. The entire Regional Sewer Authority territory lies within this proposed 'community planning unit.' Mr. Schlicker described the probable use of a 'citizens committee' to be appointed for each community planning unit and their task will be to work with the planners who will coordinate the efforts. Dr. Shank suggested getting various existing planning commissions together for this task. Mr. Sullivan pointed out that joint planning toward establishing a comprehensive Land Use Plan will help the City as well as the County and Regional Sewer Authority. The state has passed legislation requiring a Land Use Plan for each political jurisdiction by 1980 and it is time for the City's 1970 Land Use Plan to be restudied. Mr. Denton concluded the discussion with a motion that the Planning Commission endorse joint planning and recommend to City Council that the City cooperate with Rockingham County in this subject. Mr. Williams seconded the motion and all members present voted in favor..."

The Planning Director called Council's attention to the small maps attached to their copies of the recommendation and noted that the concept is underway in two areas at the present time, namely:- Town of Elkton and surrounding areas, and also in the Broadway-Timberville area. He noted that the County is working toward meeting a 1980 deadline and that the City had been asked, and had agreed, to assist in any way it could. It is the County's desire to divide Rockingham into Community Planning Units, (Fulks Run, Rawley Springs, Plains, Linville, Mountain Valley, Elkton, Massanutten, Grottoes and Harrison) with the City to participate in the latter as set forth in the recommendation. Mr. Sullivan said he feels that our Land Use Plan has served us well but offered an opinion that it was worth seeing to what extent we could share data, prepare maps, etc., adding that he felt nothing else was involved at this time. Councilman Dingledine said he was pleased with the report and feels it would be an intelligent step to try and deal with problems which we could share, after which time he moved that Council approve the Planning Commission's recommendation for cooperation with the County. The motion was seconded by Vice-Mayor Denton. When questioned by Councilman Cline re the City's involvement, the Planning Director said we would participate in only the Harrison Unit, but that this could be expanded. Councilman Cline said we should participate in the Rawley Springs area where the City owns a large tract of land; in the Linville Area where the City provides water for subdivisions; and also in the Massanutten Area where the City owns land and which includes the route 33 corridor leading to Harrisonburg. He asked if the motion could be amended to include the other three suggested Planning Units. Councilman Dingledine concurred in the amendment to approve the County's Joint Plan, with opportunity for the City to participate in the four named Planning Units, rather than being restricted to Harrison only, which amended motion was adopted by a unanimous vote of Councilmen present. Mayor Erickson said he feels that the City and County area is becoming more and more singular where human need is concerned.

✓ Council was reminded by the City Manager that the terms of all the following listed members, representing the entire Board of Directors - Valley Program for Aging Services, would expire on May 1st of this year, each having been appointed for a one-year term:- Dr. Raymond C. Dingledine, Jr., Lakey S. Logan, Dr. Daniel R. Hall, Samuel Shrum, Mrs. Wilhelmina H. Johnson, Capt. Charles White, Ms. Henrietta Huffman, Mr. R.J. Sullivan, Jr., Ms. Pauline Riddle, Dr. Howard C. Cobbs, Dr. Dorothy Rowe, Mr. C. W. Kestner and Mrs. Rhoda Liskey. Mayor Erickson asked the wishes of Council. Councilman Dingledine moved that all of the aforementioned members be reappointed to the Advisory Board, each for a term of one (1) year expiring May 1, 1977 and that the following two new members be appointed to the Board for one (1) year terms expiring on May 1, 1977, namely:- Mrs. Hazel MacNeil of 1351 Crawford Ave. and Mrs. Jay Dee Showalter of 310 Paul Street. The motion was seconded by Vice-Mayor Denton, and adopted by a unanimous vote of Councilmen present.

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✓ Council was reminded by the City Manager that an appropriation in the amount of \$ 105,062.50 had been approved for a first reading at the last meeting in order to liquidate an account "Reserve for Street & Highway Construction" for the amount therein to be used on various street projects as set out in a proposed work plan at that meeting. He reported that the following recommendations for sidewalk construction at various school areas had been added to the program, namely:- Harrisonburg High School (Grace St. from west of High School to Willow St. and north on Willow St. by the tennis courts to tie in with the Armory sidewalk); Waterman School (install sidewalk on east side of N.Willow St. from Green St. to Gay St., and north side of Gay St. from N. Willow St. to Hartman Drive); Keister School (Maryland Ave. on the south side from approximately 200' west of High St. to Chestnut Drive). He noted no recommendation received for the Spotswood School area. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for second and final reading, and that:-

\$ 105,062.50 chgd.to: General Fund - Reserve for Street & Highway Construction.
 12,000.00 approp.to: General Fund (1-10110-12.00) Wages
 4,800.00 approp.to: General Fund (1-10110-12.01) Laborer 1- Title II
 7,200.00 approp.to: General Fund (1-10110-12.50) Temp. Laborer- Title VI
 42,762.50 approp.to: General Fund (1-10110-275.01) Maint. & Repairs- H'ways & Streets
 23,300.00 approp.to: General Fund (1-10110-275.03) Maint. & Repairs- Work in Annexed Area
 15,000.00 approp.to: General Fund (1-10110-77.11) Capital Outlay- Parking Lot at Westover Park.

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

✓ Vice-Mayor Denton moved that an appropriation in the amount of \$ 20,732.30 requested by the Assistant City Manager in order to transfer Title II and Title VI funds received from the Virginia Employment Commission for months of November-December 1975 and January-February 1976 to proper accounts, be approved for second and final reading, a first reading having been approved on April 13th, and that:-

\$ 3,028.80 chgd.to: General Fund (1005) Recoveries & Rebates-Title II- Jan.-Feb. 1976
 17,703.50 chgd.to: General Fund (1005) " " Title VI- Nov-Dec 1975
 2,672.39 approp.to: General Fund (4035-12.50) Data Processing Programmer-Wages-Title VI
 1,707.32 approp.to: General Fund (4040-12.50) Purchasing-Wages- Title VI
 1,040.29 approp.to: General Fund (6015-12.50) Police Court- Wages- Title VI
 1,092.00 approp.to: General Fund (9010-12.01) Police Dept.- Traffic Controller-Wages- /Title II
 7,063.60 approp.to: General Fund (9020-12.50) Fire Dept.- Fireman-Wages- Title VI
 1,293.00 approp.to: General Fund (9010-12.50) Police Dept.- Wages- Title VI
 1,936.80 approp.to: General Fund (10110-12.01) St.Inspection-Laborer-Wages- Title VI
 3,273.60 approp.to: General Fund (10110-12.50) St.Inspection- Temp.Labor Wages- Title VI
 480.00 approp.to: General Fund (11020-12.50) Recreation Dept.- Instructor-Wages-Title VI
 173.30 approp.to: General Fund (11020-12.51) Recreation Dept.- Park Maint. Supt.Wages, Title VI

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

✓ Councilman Dingledine moved that a supplemental appropriation in the amount of \$ 5,346.37 requested by the City School Board Office in order to appropriate funds received from Title VI (CETA) for various uses, be approved for second and final reading, a first reading having been approved on April 13th, and that:-

\$ 5,346.37 chgd.to: School Fund (R-28A) Receipts from Federal Funds, Other Federal Funds-CETA
 125.00 approp.to: School Fund (1200-135.50) Adm.- Comp. Adm. Sec.- Title VI
 1,462.50 approp.to: School Fund (1201-109.50) Other Inst.Costs- Comp.Teacher Aides- CETA
 125.00 approp.to: School Fund (1201-109.51) Other Inst. Costs- Clerk Comp.- Ass't Instr. Title VI
 2,956.50 approp.to: School Fund (1205-119.50) Day Sch. Inst.- Comp. Elem.Teachers- CETA
 600.75 approp.to: School Fund (1205-119.50) Oper. School Plant- Comp.Custodial- CETA
 76.62 approp.to: School Fund (1206-295.50) Fixed Charges- CETA

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

✓ Councilman Cline moved that a supplemental appropriation in the amount of \$ 3,477.08 requested by the Recreation Director in order to transfer monies received for participants' wages incurred during the month of February, 1976, under CETA-Title VI(A), be approved for second and final reading, a first reading having been approved on April 13th, and that:-

\$ 1,637.08 chgd.to: General Fund (1005) Non-Rev.Receipts- Recoveries & Rebates.
 1,840.00 chgd.to: General Fund (1005) " " " " "
 1,840.00 approp.to: General Fund (11020-12.00) Parks & Playgrounds-Wages-Title VI(A)
 568.00 approp.to: General Fund (11020-12.01) Rec. Supvr.- Title II
 467.20 approp.to: General Fund (11020-12.02) Ath. Supvr.- Title II
 400.00 approp.to: General Fund (11020-12.03) Park Security Officer- Title II
 201.88 approp.to: General Fund (11020-12.04) Maint. Man- Title II

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

✓ A request was presented by the City Manager from the Director of Social Services for approval of a supplemental appropriation in the amount of \$ 582.50 in order to cover salary costs for CETA employee with federal funds. Vice-Mayor Denton moved that the appropriation be approved, and that:-

\$ 582.50 chgd.to: VPA Fund (1005-2) Recoveries & Rebates.
 582.50 approp.to: VPA Fund (05-8021-12.50) Bureau of Personal Services--
 Elig. Worker (Title VI-CETA) Diane E. Glick

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

✓ Council was reminded by the City Manager that a Personnel Management System prepared by Municipal Advisors of Virginia Beach, Va., had been presented at Council's meeting on March 23, prior to distribution of same to the department heads. He presented a letter dated 3/24/76 from the Va. Municipal League, written to Municipal Advisors, stating that the Grievance Procedure as set forth in the system had been reviewed and found to be in full compliance with Sec. 15.1-7.1 of the State Code. He pointed out that

the classifications were not based on individual personalities but rather on the job or position itself, which may result in some seeming unfair to individuals. He asked that Council either approve or disapprove the Plan, and offered a recommendation for its approval. Following a brief discussion, Vice-Mayor Denton moved that the Plan be approved, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ City Attorney Lapsley presented a proposed ordinance amending the City Code Sections 42, 46, 48 and 55 of Chapter 17 with regard to parking regulations, as recommended by the Harrisonburg Parking Authority, and pointed out the changes incorporated therein. Members of Council questioned Section 17-47, recommended for deletion, which in its present form prohibits feeding a parking meter a second time to extend parking time, in that the section was originally added to encourage turnover of vehicles and discourage downtown employees from occupying a parking space near a store or office all day. New parking fines, if approved, would be 50¢ if paid within an hour, \$2.00 if paid within 48 hours, and \$ 3.00 if paid within 72 hours. A new section sets out fines for various methods of illegal parking, blocking driveways, parking within 15' of a fire hydrant, etc. Following discussion, Vice-Mayor Denton 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. The City Manager was asked to have a representative of the Parking Authority present at the next regular meeting of Council to answer questions, prior to a second and final reading of the ordinance.

✓ The City Manager displayed numerous letters which have been received in his office for permission to place banners across Main Street, some of which are for the year 1977. He explained that originally the policy was for the City Manager to give permission to certain non-profit organizations, but later the matter was handled by the Chamber of Commerce. When the situation became too much to handle in that some requestors wanted to climb poles and hang their own banners, a meeting of organizations concerned was held and it was agreed that the matter of banners be referred back to the City Manager who would ask each organization desiring to place a banner, to send in a written request giving date or dates, location, etc. A letter would then be sent out either approving or disapproving the request. He pointed out that the only two locations where banners are presently permitted are in front of Madison College and on S. Main Street at Newman Avenue, and that only an electrician is allowed to climb a pole for the purpose of hanging banners in place. The City Manager said that he had no recommendation regarding the matter at this time. Mayor Erickson suggested the policy of "First Come-First Serve." Following discussion, the requests were left to the discretion of the City Manager.

✓ The City Manager, for information, reported that the dedication of Switzer Dam has been scheduled for Saturday, June 5th, 2:00 P.M., with The Honorable Harry Byrd, Jr., to deliver the address. He noted that approximately 1,000 invitations and bronze plastic cards bearing information to be on the plaque which will be placed at the Dam Site, would be mailed out within the next few days to city employees, members of the various boards & commissions, both past and present, etc.

✓ Assistant City Manager Driver reported that since the Madison Educational Building will not be constructed across the street (west side opposite college), but that a parking area will be provided there instead, Madison has agreed to go along with running electric wires either underground or overhead. He noted that he would go back and check on the underground idea as originally discussed, with the estimated cost of \$ 75,000. to be paid by the City. He offered an opinion that a decision should be reached within the next couple of meetings and mentioned that the first phase of the S. Main St. project may be advertised sometime during this year. Following a brief discussion, Council agreed to give further consideration to the matter, with definite action deferred until a later date.

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

N. Arlene Lohr
CLERK

Ray Erickson
MAYOR

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Tuesday, May 11, 1976

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. Gerald Martin of Trinity Reform Church.

Minutes of the regular meeting held on April 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 month of April, 1976.

From the City Treasurer:-

A Trial Balance report as of close of business on April 30, 1976.

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 April, 1976.

From the City Auditor:

A financial report for the City of Harrisonburg, Va. for month of April, 1976.

A report of cash discounts saved during month of April, 1976, totaling \$ 180.81.

From the Office of Utility Billing:

A report of water, sewer & refuse accounts, meters read, installations, cut delinquents, complaints, re-reads, etc. for month of April, 1976.

For Council information and recordation in City Minutes, the following results of Harrisonburg's General Election for City Council held on May 4, 1976, submitted by the Harrisonburg Electoral Board and signed by its members:- Frances G. Ore, Chairman, Earl H. Wetsel, member, and Frank S. Warren, Secretary, were presented by the City Manager:- Votes cast: Violet S. Cox (845), Raymond C. Dingleline, Jr. (1341), Roy H. Erickson (1310), S. Frank Harris, Jr. (914), Elon W. Rhodes (1372). The three members elected to City Council: Raymond C. Dingleline, Jr., Roy H. Erickson and Elon W. Rhodes.

Mr. Lloyd Schlicker, County Planner, was present in the meeting to present a proposed budget for the joint planning project of Rockingham County, City of Harrisonburg and towns in the County, which matter had been discussed at the last regular meeting of Council. He reported that all municipalities had agreed with the project and noted that the budget had been presented to the Board of Supervisors, which outlines the sharing of cost, with approval received by the Board, pending receipt of the Federal 701 Grant. Following a talk with a HUD representative, Mr. Schlicker said it appears that the Grant would be approved due to the joint effort. He presented each member of Council with a copy of the proposed budget and pointed out highlights in same. Council was informed that the planning project would cost \$ 138,000. with the City's share to be a maximum amount of \$ 37,650; Rockingham County's share, \$ 50,200. and the towns' share, \$ 25,100. The one year joint planning project would employ qualified temporary staff for the one year, which, if not possible to acquire, may necessitate the hiring of a consultant, with the City using its own planner and draftsman on the project. If approved, the Grant of \$ 30,000. - \$ 92,000. would reduce the amount of cost to each locality. Mr. Schlicker asked that the budget be studied and consideration of Council for approval of the planning project to be given by the next regular meeting date, if possible, in order that he may begin seeking qualified one-year planners. The matter was discussed with members agreeing to hold off on a final decision until word is received concerning approval or disapproval of the Grant, and requesting that Council be contacted as soon as word is received from HUD.

The City Manager reminded Council that an ordinance amending Sections 9, 12, 13 and 14, and adding new sections 13.1 and 22, to Chapter 12 of the City Code, with regard to handling of garbage, refuse, etc. by residents, businesses, and the City, had been approved for a first reading at the last regular meeting and is now up for second and final reading. He asked the possibility of changing the time for refuse to be placed outside for pickup, to 4:00 P.M. or 5:00 P.M., rather than 6:00 P.M. as set forth under Section 12-13, in that some stores close at 5:00 P.M. City Attorney Lapsley said there was no objection to the change, noting that he had used schedules, etc. recommended by the city staff. After further discussion, Councilman Cline moved that the ordinance, including time change to 4:00 P.M., 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 97).

Manager Milam reported that although he had been instructed at the last meeting to have a representative of the Harrisonburg Parking Authority present tonight to answer questions concerning an ordinance amending Chapter 17 of the City Code, drawn from recommendations submitted by the Authority, he was unable to produce a representative. The proposed ordinance as presented had been approved for a first reading at the April 27th meeting of Council, with certain questions raised at that time, particularly deletion of Section 17-48 which prohibits the feeding of a parking meter a second time to extend parking time, which in its present form, prohibits all-day parking by a motorist and allows turnover at meters. He informed Council that a member of the Parking Authority had said that this particular section had been very difficult to enforce. Vice-Mayor Denton said that those who habitually feed meters for the day, are known, and raised a question as to how the new parking fines of 50¢, etc. would be enforced. Chief Presgrave said he had seen no violations of feeding the meters under this particular section. During the discussion, a suggestion was made that possible feeding a meter not more than twice would relieve the situation and still not allow all-day parking. Council agreed to defer final action on the ordinance until the next regular meeting, and have a representative of the Parking Authority present at that time.

City Manager Milam presented the following proposed resolution approving Community Development Block Grant Program and authorizing the filing of an application for discretionary funds. He pointed out that the funds, if approved (\$525,000.) would be used for placement of elderly and those with moderate incomes, in the neighborhood of the present Kavanaugh Hotel on N. Main St., by acquiring certain buildings, and said that technical aspects of the project could be gotten into, following approval of the Grant:-

WHEREAS, the Housing and Community Development Act of 1974 provides Harrisonburg, Virginia, 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, Virginia, 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, Virginia, 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 and Urban Development.
3. The City Manager is hereby designated as the authorized representative of the City of Harrisonburg, Virginia, 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 11th day of May, 1976.

Attest: _____ Clerk

Mayor

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Following a brief 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.

✓ Assistant City Manager Driver reported that following the last meeting of Council when he was asked to check with Madison College again regarding the running of electric wires in the South Main Street widening project, he had talked with Dr. Ronald Carrier, President, informing him of Council's discussion. Dr. Carrier pointed out that the college still prefers running the wires underground, as originally stated, but that if an excessive cost to the City would result, he would go along with the overhead wires on the west side of S. Main St. Mr. Kenneth Frantz, General Manager of the Harrisonburg Electric Commission, told Council that the original cost estimate for underground has now been updated and would be doubled, or \$ 150,000. rather than \$ 75,000. as quoted some time ago. He pointed out the danger of hitting other utilities which are under the street and said that the traffic would have to be controlled while work was being done. If done, the possibility of a cost-share basis by the City and HEC was mentioned. Mayor Erickson pointed out the fact that the other utilities would have to be replaced under the widening project and questioned if the wires could be run at the same time, thereby reducing cost of same. Mr. Frantz said the HEC is trying to work with Madison College re arrangements to cross their property by the lake and noted that new dormitories have been built under the lines around the lake. Following a lengthy discussion, it was agreed that the matter be given further consideration to allow time for further information re cost, etc. to be obtained, and the Assistant City Manager was asked to follow-up on the matter and report back. Mr. Frantz noted that should it be felt advisable to advertise this project in the bid, he would so advise Mr. Driver.

✓ The following recommendation submitted by the Planning Director from a meeting of the Commission held on May 5th, was read by the City Manager:-

- "...The Commissioner, Police Chief Presgrave and the Director discussed in detail detail the 'Report of the Special Planning Study Committee Concerning Parking Problems in Residential Areas Surrounding Madison College and Rockingham Memorial Hospital.' Need for adopting and enforcing parking controls was unanimously agreed on, within the general scope of recommendations made by the Special Planning Study Committee.

The following additions and/or changes were listed for inclusion in a proposed

'Residential Permit Parking Ordinance':

- 1st, Add all of Eastover Subdivision to the proposed Residential Permit Parking Area; (see map attached)
- 2nd, Charge a fee of \$ 1.00 for a parking permit sticker, which shall be valid only within the block of one's residence;
- 3rd, Allow each residence two 'guest cards' to be used by visitors during the hours this ordinance is applicable;
- 4th, In the cases where a landlord is renting rooms, the roomer will be allowed one parking permit sticker and no 'guest cards.'
- 5th, The minimum fine for violation of the ordinance should be \$ 5.00 for each day; if a vehicle is left on the street in violation for more than three days, a towing penalty will be imposed;
- 6th, The parking permit sticker or the guest card should be placed on the driver's side of the vehicle's windshield.

Mr. Williams concluded the discussion with a motion that the Planning Commission recommend adoption of a 'Residential Permit Parking Ordinance' as proposed in the Special Study Committee's study and report, with the above listed specifics to be reflected in the ordinance. Mr. Kuykendall seconded the motion and all members present voted in favor..."

Mr. Sullivan, Planning Director, pointed out the area on a map, bounded by Interstate 81, Port Republic Road, C-W Railway tracks and Grattan & Paul Sts., as well as the area to be added (Eastover subdivision). He noted that since the Commission meeting, he had been advised that any and all stickers have to be placed on the right side of a windshield, and cannot be placed on the driver's side as set forth in the recommendation. City Attorney Lapsley noted that since receiving the Planning Commission's recommendation, he had found no time to draft a proposed ordinance. The City Manager said that most people feel that this should be approved and enforced by September, with permits to be issued prior to that time. He suggested a one-year experimental procedure in that the Planning Commission would like to review the matter in the spring following the crucial period. Following discussion, Councilman Green moved that the Planning Commission recommendation be accepted for information and referred to the City Attorney to be used in drafting a proposed ordinance, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ In compliance with a request of Council for information, the City Attorney reported that the City had paid a total of \$ 1,500.00 for the six lots being offered for sale on the corner of Effinger and Sterling Streets, when purchased. Following a brief discussion, Council agreed to defer action on a recommendation of the Planning Commission as presented and read at the last regular meeting for accepting the one and only sealed bid received, in amount of \$ 10,000. by Trustees of John Wesley United Methodist Church, until such time as additional information is in concerning installation of water & sewer, etc.

✓ A request was presented from the City School Board Office, Mr. Paul Quintrell, Director of Finance, for approval of a supplemental appropriation in the amount of \$ 12,579.88 in order to appropriate funds (anticipated) to pay salaries & fixed charges for employees in the School Department under the CETA Title VI funding for months of May & June, 1976. It was noted in the request that reimbursement will not be received in time to appropriate funds after funds are actually received. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

\$ 12,579.88 chgd.to: School Fund (R-28) Anticipated Revenue- Receipts from Federal

Funds- Other Federal Funds- CETA

1,075.00 approp.to: School Fund (1200-135.50) Administration- Comp. Adm. Sec.- CETA

2,250.00 approp.to: School Fund (1201-109.50) Other Inst. Costs- Comp. Teacher Aides- CETA

1,075.00 approp.to: School Fund (1201-109.51) Other Inst. Costs- (Title VI) Comp. Clerk Assistant Instr.

6,075.00 approp.to: School Fund (1201-134.50) Day Sch. Instruction- Comp. Elem Teachers- CETA

1,836.96 approp.to: School Fund (1205-119.50) Oper. School Plant- Comp. Custodians - CETA

267.92 approp.to: School Fund (1206-295.50) Fixed Charges- Employer Cont-Fringe Benefits

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. Paul Quintrell, Director of Finance, City Schools, for approval of a supplemental appropriation in the amount of \$ 6,667.10 in order to appropriate proceeds or reimbursement for comprehensive employment & training act (Title VI) for month ended March 31, 1976. Following a brief discussion, Councilman Dingledine moved that the appropriation be approved for a first reading, and that:-

\$ 6,667.10 chgd.to: School Fund (R-28A) Realized Revenue- Receipts from Federal Funds-
Other Federal Funds- CETA

465.00 approp.to: School Fund (1200-135.50) Adm.- Comp.- Adm. Secretary- CETA
1,450.00 approp.to: School Fund (1201-109.50) Other Inst. Costs- Comp.- Teacher Aides- CETA
490.00 approp.to: School Fund (1201-109.51) Other Inst. Costs- Comp.- Clerk Ass't Instr.-Title VI
3,802.95 approp.to: School Fund (1201-134.50) Day Sch. Inst.- Comp. Elem. Teacher- CETA
355.11 approp.to: School Fund (1205-119.50) Oper. School Plant- Comp. Custodians- CETA
104.04 approp.to: School Fund (1206-295.50) Fixed Charges- Employer Cont. Fringe Benefits

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

✓ A request from Assistant City Manager Driver was presented, requesting approval of a supplemental appropriation in the amount of \$ 13,183.65 in order to transfer Title II and Title VI funds received from Virginia Employment Commission for month of March, 1976, to proper accounts. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

\$ 2,301.00 chgd.to: General Fund (1005) Recoveries & Rebates- Title II- March
10,882.65 chgd.to: General Fund (1005) Recoveries & Rebates- Title VI- March
1,316.87 approp.to: General Fund (4040-12.50) Purchasing Agent- Wages- Title VI
552.00 approp.to: General Fund (6015-12.50) Police Court- Wages- Title VI
588.00 approp.to: General Fund (9010-12.01) Police Dept.- Title II- Traffic Control- Wages
1,498.58 approp.to: General Fund (9010-12.50) Police Dept.- Title VI- Patrolman- Wages
2,344.00 approp.to: General Fund (9020-12.50) Fire Dept.- Fireman- Wages- Title VI
1,713.00 approp.to: General Fund (10110-12.01) St. Inspect. Laborer- Wages- Title II
3,753.00 approp.to: General Fund (10110-12.50) St. Inspect. Laborer- Wages- Title VI
534.00 approp.to: General Fund (11020-12.50) Recreation- Rec. Instr.- Wages- Title VI
751.00 approp.to: General Fund (11020-12.51) Recreation- Park Maint. Supt.-Wages- Title VI
133.20 approp.to: General Fund (11020-12.52) Recreation- Janitor- Wages- Title VI

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 Recreation Director for approval of a supplemental appropriation in the amount of \$ 3,909.48 in order to transfer monies received for participants' wages incurred during month of March 1976 as per agreement with the Virginia Employment Commission (CETA- Title VI(A)); \$ 2,104.00 and CETA- Title II, \$ 1,805.48). Councilman Dingledine moved that the appropriation be approved for a first reading, and that:-

\$ 1,805.48 chgd.to: General Fund (1005) Non-Rev.Receipts- Recoveries & Rebates.
2,104.00 chgd.to: General Fund (1005) Non-Rev.Receipts- Recoveries & Rebates.
2,104.00 approp.to: General Fund (11020-12.00) Parks & Playgrounds- Wages
653.20 approp.to: General Fund (11020-12.01) Rec. Supvr.- Title II
537.28 approp.to: General Fund (11020-12.02) Ath. Supvr.- Title II
455.00 approp.to: General Fund (11020-12.03) Park Security Officer- Title II
160.00 approp.to: General Fund (11020-12.04) Maint. Man- Title II

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 \$ 769.96 from account Recoveries & Rebates in order to cover salary costs for a CETA employee, with federal funds. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved, and that:-

\$ 769.96 chgd.to: VPA Fund (1005-2) Recoveries & Rebates.
769.96 approp.to: VPA Fund (05-8021-12.50) Bureau of Personal Services-- Eligibility
Worker- Title VI (CETA) Carol B. Showker (Nov. & Dec.)

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

✓ A request was presented from Mrs. Marie Arrington, Director of Social Services, for approval of a supplemental appropriation in the amount of \$ 600. to cover the increase in the retirement rate from 2.53% to 3.59% effective April 1, 1976. Manager Milam noted that this would come under the Virginia Supplemental Retirement System. Following a brief discussion, Councilman Green moved that the appropriation be approved, and that:-

\$ 600.00 chgd.to: VPA Fund (1005-2) Recoveries & Rebates.
600.00 approp.to: VPA Fund (05-8021-250.00) Other Operating-- FICA, Retirement,
other insurances.

which motion upon being seconded by Councilman Cline, 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 \$ 321.56 in order to cover the General Relief--SSI Pending Applications payments to clients, from a special Welfare Fund. Vice-Mayor Denton moved that the appropriation be approved, and that:-

\$ 321.56 chgd.to: VPA Fund - Special Welfare Fund.
321.56 approp.to: VPA Fund (1005-2) Recoveries & Rebates

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

✓ City Manager Milam presented his Budget Message with regard to the proposed 1976-77 City of Harrisonburg Budget, balanced, and in total amount of \$ 12,683,391.00 (6% above the current budget), pointing out the following facts: the balanced budget is based upon the existing revenue structure which includes anticipated losses in Real Estate due to exemptions to the elderly this year, and losses

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in Public Service Corporations, due to the lowering of tax rate from \$ 2.50 to \$ 2.00 last year, and State prediction of less ABC profits due to sales not keeping pace with operational cost, and the Governor's cut of 5% from basic State aid to local School Fund. Noted further that \$ 963,737.00 had been eliminated from the various departmental requests in order to balance the budget without requesting a change in revenues, \$ 90,550. of the elimination being in the City School Board's budget requests for next fiscal year. Council was informed that the School Board has requested a meeting with Council concerning next year's budget. Manager Milam recommended that the proposed budget be approved for a first reading at tonight's meeting, with May 18th as a reserve date; May 25th (regular Council meeting) - the scheduling of a public hearing on the budget for this date and final adoption of same. Council discussed the budget at length with Councilman Green noting reluctance in approving same on a first reading at this time due to the School Board's request for a meeting, as well as various other questions which he had concerning federal programs, excessive amount of requests, etc. Vice-Mayor Denton moved that the Appropriation Ordinance be approved for a first reading and that the City Manager be authorized and directed to properly advertise a public hearing on the proposed 1976-77 budget for Tuesday, May 25, 1976, 7:30 P.M., along with synopsis of the budget, in the Daily News Record newspaper, which motion upon being seconded by Councilman Cline, was adopted by a unanimous recorded vote of Council.

✓ The City Manager informed Council that he was in receipt of a contract from the Shenandoah Manpower Planning Council for the City of Harrisonburg to receive an allocation of \$ 4,228.00 Title I Funds for the Comprehensive Employment & Training Act, along with a recommendation that the funds be used in the City's Recreation Department, with positions to commence no earlier than May 15th and terminate no later than September 30, 1976. Manager Milam said that five people would be employed (four for 9 weeks and one for 7 weeks) and pointed out that this is the program under which the Recreation Dept. has an agreement with the Virginia Employment Commission. Councilman Cline moved that the City Manager be authorized and directed to sign the contract, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ The City Manager presented for Council information, three notifications from the State Water Control Board concerning meetings which have been scheduled: (a) a meeting of all Political Jurisdictions within the Harrisonburg-Rockingham Regional Sewer Authority Boundary, 10:00 A.M., May 20th, Madison College, regarding phase-in/phase-out plan of our sewage treatment facilities; (b) Hearing- Sewerage Regulations, 10:00 A.M., June 3rd, Harrisonburg Council Chamber, to receive comments as to whether or not the agencies should adopt "Sewerage Regulations" as presently proposed; (c) Hearings in the Harrisonburg Council Chamber, 2:30 P.M., June 3, concerning a survey to be made by July 1, 1977 for submission to the State Water Control Board, in accordance with the 1976 Virginia General Assembly legislation which requires each owner who owns or operates a sewerage system or a sewerage or industrial waste works to conduct a survey of the discharges of industrial and other wastes going into its system or works. Mayor Erickson asked members to place the dates on their calendars, and pointed out the importance of the three scheduled meetings.

Council discussed the setting of a time for a study of the proposed 1976-77 City of Harrisonburg Budget, and agreed that this be done on Tuesday, May 18th, 8:30 P.M.

✓ Vice-Mayor Denton moved that the Planning Commission be asked to consider the possibility of making Grace Street, from Grace to Mason, a one-way street, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

There being no further business, Councilman Cline moved that the regular session adjourn (10:10 PM) and that Council go into an executive session to discuss a legal matter, on request of the City Attorney, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

N. Arlene Loker
CLERK

Ray Erickson
MAYOR

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Tuesday, May 25, 1976

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., 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 May 11th were read, and approved as corrected.

✓ A letter dated 2/18/76 from Mr. John Zirkle was read, requesting that Council accept his resignation as Co-Chairman of the Bicentennial Commission effective May 25th, or earlier if desired. Councilman Dingleline informed Council that Mr. Zirkle has said he would continue to serve on the Commission as a member. Following a suggestion by Mayor Erickson that the letter be referred to the Bicentennial Commission, Councilman Dingleline moved that Mr. Zirkle's resignation as Co-Chairman be accepted, with a letter to be sent him expressing appreciation for services rendered, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ For Council information, the City Manager reported that he was in receipt of a letter from the Department of Justice & Crime Prevention advising that transfer of funds which had been allocated to Rivendale, Inc., over to Huckleberry House, had been approved as requested. He reminded members that Rivendale, Inc. had withdrawn its application following notification that they had been approved for funding under Title XX.

✓ For information, correspondence dated 5/18/76 from The Central Shenandoah Planning District was presented and read by the City Manager, advising that the City of Harrisonburg's Community Development Block Grant application for housing for the elderly was reviewed by the Commission's Housing Committee on May 11th with recommendation submitted for endorsement, and that the Commission reviewed the same on May 17th and endorsed receipt of federal community development funds. Manager Milam reminded Council

that the funds would be used in acquiring certain buildings in the area of the present Kavanaugh Hotel to provide low cost housing for the elderly and moderate income families.

Mayor Erickson closed the regular session temporarily and called the public hearing to order.

✓ The City Manager read the following Notice of Hearing as published in the Daily News Record newspaper on May 13th, along with a synopsis of the proposed City of Harrisonburg 1976-77 Budget, and certification by the Clerk:-

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 25th day of May, 1976, at which meeting the said budget will be further acted upon by 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, Virginia, as a public record subject to inspection.

Given under my hand the 12th day of May, 1976

Marvin B. Milam, City Manager

The Mayor called on anyone present, desiring to be heard either for or against the proposed budget. There being no response, Mayor Erickson noted that a rather lengthy study session had been held last Tuesday evening with regard to departmental requests. He asked the City Manager to point out highlights, including various amendments which had been made. It was noted that a total amount of \$ 21,000. had been transferred from listed items of equipment & furniture in the School Board's request to Regular Day School, which would allow a 7% pay raise for teachers rather than 6% as originally set forth, with the same amount to be given Schools from Federal Revenue Sharing Funds to make up the loss in equipment funds in the 1976-77 budget; an amount of \$ 5,000. to be appropriated for Huckleberry House was deleted, in that the organization will receive DJCP funds, with that amount to be distributed among the Mental Health Clinic, Chapter 10 Board, and Downtown Development Committee. None of the transactions would change budget totals or city tax rates. Real estate taxes remain at \$ 2.00 per \$100. assessed property valuation, and a service charge remains at 40¢ per \$100. value of tax exempt property. During discussion, concern was expressed regarding a request for increase in appropriation for the Valley Program for the Aging, in that each \$ 4,000. appropriated yearly appears to be insufficient, and a suggestion was made that the success of the program could be re-evaluated. The public hearing was declared closed at 8:22 PM and the regular session reconvened.

✓ Mayor Erickson asked Council's wishes regarding the Appropriation Ordinance for the 1976-77 City of Harrisonburg budget, and proposed amendments reported by the City Manager. Councilman Cline moved that the Appropriation Ordinance for the budget in total amount of \$ 12,683,391.00 including amendments in the various accounts, with real estate tax rate of \$ 2.00 per \$ 100. property assessed valuation and 40¢ per \$ 100. on assessed value of tax exempt property, 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 Dingledine, was adopted by a unanimous recorded vote of Council. (Refer to Minute Book N page 192).

✓ Manager Milam stated that an ordinance amending Chapter 17 of the City Code pertaining to parking regulations had been approved for a first reading on April 27th, with final action deferred until a representative of the Harrisonburg Parking Authority could be present to answer questions, in that the proposed amendments had been submitted by it. He noted that Mr. Eddie Ney was present this evening to discuss the matter. Mr. Ney explained that Sec. 17-48 which prohibits the feeding of a meter a second time was proposed for deletion due to the fact that this section was very hard to enforce in that marking of tires had proven unsuccessful since it could not be determined if a car so marked was parked at the same meter, and further that Meter Maids would be placed in a position of determining which motorists were in violation. Another point made by Mr. Ney was that retail merchants feel that some shoppers may require longer than one hour. Vice-Mayor Denton said the idea of a 2 hour parking of a vehicle or feeding a meter a second time, would be more satisfactory, but expressed concern over approximately fifteen cars which are tying up parking meters on all-day parking. Mayor Erickson offered an opinion that the section should not be deleted, in that it gives teeth to the ordinance, and Vice-Mayor Denton said he felt the Parking Authority could work out a solution. Following a lengthy discussion, Councilman Cline moved that the ordinance be approved for second and final reading with Section 17-48 left in, which motion was seconded by Vice-Mayor Denton. Councilman Cline then offered a substitute motion that the ordinance be adopted, with modified inclusion along the lines of a maximum 2-time meter feeding suggestion, and this motion was seconded by Vice-Mayor Denton. After further discussion, Councilman Cline moved that action on a final reading be deferred until the next regular meeting, with the Parking Authority and Council to study Section 17-48 with regard to proper wording of same, which motion was seconded by Mayor Erickson. The two prior motions were withdrawn and the latter adopted by a unanimous vote of Council.

✓ City Attorney Lapsley presented and reviewed for Council a proposed ordinance amending Chapter 17 of the City Code by adding Sec. 17-42 "Residential Permit Parking," and deleting Sections 17-42.1, 17-42.2, 17-42.3 and 17.43, from recommendations submitted by the City Planning Commission and presented at Council's meeting on May 11th. Mr. M. A. Firebaugh, City Treasurer, was present in the meeting to request that any final action on the ordinance be deferred until he was given an opportunity to discuss same with the Planning Commission, City Attorney and City Manager, in that he had not been in contact with anyone regarding permit parking, which would definitely involve his office. Mr. Jerry Coulter of 492 S. Mason St., pointed out that his property was three houses from the edge of Paul St. on S. Mason St. and expressed concern that the area set forth for residential permit parking would create a problem in that vehicles not under permit would be forced onto other streets and in front of other residences. He offered an opinion that the area should be extended to a point where there was no alternative to Madison Campus parking, and expressed a preference that only one permit parking space be allowed, namely for the property owner. Dr. Richard Smith, who was instrumental in the drawing of an ordinance to relieve the problem of parking in residential areas surrounding the college and hospital, said he could not argue that other areas may be presented with a problem, but pointed out that it was felt, by the study committee, that the area suggested was far enough from the college, and feasible. Mr. Coulter said it would be an arbitrary problem in that another person's problem would be placed on other persons. Mayor Erickson said he would like to see the permit parking done on a one year's trial basis. Mr. Firebaugh offered an opinion that final draft of the ordinance should be publicized, prior to adoption, setting forth the

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number of permits to be allowed, cost, etc. Mr. Coulter asked that Council reconsider the proposed boundaries. Assistant City Manager Driver said the project would cost approximately \$ 4,000., which amount would have to be appropriated if the ordinance is approved. Following a lengthy discussion, Councilman Green moved that the ordinance be approved for a first reading with the understanding that remarks and suggestions made by Messrs. Firebaugh and Coulter be gone over at Wednesday's City Staff Meeting and again with the Planning Commission at its next meeting, in order to determine what can be done. The motion was seconded by Councilman Dingledine and adopted by a unanimous recorded vote of Council.

✓ City Manager Milan presented an outline of a proposed contract which was distributed by the Harrisonburg-Rockingham Regional Sewer Authority at a special meeting last week, as well as an updating of the By-Laws, noting that it was preferred that each Governing Body review the outline and give written opinion of same to the Sewer Authority. He pointed out the share of cost to the City, County and towns, and informed Council that Rockingham County desires to pay cash which would present a problem in that they would not participate in debt service nor would the amount cover any depreciation on equipment, etc. at the plant, which could fail during the first year, and which would place the burden of expense on the other municipalities. Following discussion, Mayor Erickson suggested that in the near future, Council sit down and give this some study, with some possible amendments. It was agreed that a convenient time be decided upon for such a study.

✓ Councilman Dingledine moved that an appropriation in the amount of \$ 12,579.88 requested by the School Board's Director of Finance in order to appropriate funds (anticipated) to pay salaries & fixed charges for employees in the School Department under the CETA Title VI funding for months of May and June, 1976, be approved for second and final reading, a first reading having been approved on May 11th, and that:-

\$ 12,579.88 chgd.to: School Fund (R-28) Anticipated Revenue- Receipts from Federal Funds- Other Federal Funds- CETA.

1,075.00 approp.to: School Fund (1200-135.50) Adm.- Comp. Admin. Secretary- CETA

2,250.00 approp.to: School Fund (1201-109.50) Other Inst. Costs- Comp. Teacher Aides- CETA

1,075.00 approp.to: School Fund (1201-109.51) Other Inst. Costs- (Title VI) Comp.

Clerk Assistant Instr.

6,075.00 approp.to: School Fund (1201-134.50) Day School Instruction- Comp. Elem. Teachers- CETA

1,836.96 approp.to: School Fund (1205-119.50) Oper. School Plant- Comp. Custodians- CETA

267.92 approp.to: School Fund (1206-295.50) Fixed Charges- Employer Cont. Fringe Benefits.

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

✓ Councilman Cline moved that a supplemental appropriation in the amount of \$ 6,667.10 requested by the School Board Office in order to appropriate proceeds or reimbursement for comprehensive employment & training act (Title VI) for month ended March 31, 1976, be approved for second and final reading, a first reading having been approved on May 11th, and that:-

\$ 6,667.10 chgd.to: School Fund (R-28A) Realized Revenue- Receipts from Federal Funds- Other Federal Funds- CETA

465.00 approp.to: School Fund (1200-135.50) Adm.- Comp. Adm. Secretary- CETA

1,450.00 approp.to: School Fund (1201-109.50) Other Inst. Costs- Comp. Teacher Aides- CETA

490.00 approp.to: School Fund (1201-109.51) Other Inst. Costs- Clerk Ass't Instr.- Title VI

3,802.95 approp.to: School Fund (1201-134.50) Day School Inst.- Comp. Elem. Teachers- CETA

355.11 approp.to: School Fund (1206-295.50) Fixed Charges- Employer Cont. Fringe Benefits.

104.04 approp.to: School Fund (1206-295.50) Fixed Charges- Emp. Cont.- Fringe Benefits.

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

✓ Councilman Green moved that an appropriation in the amount of \$ 13,183.65 approved for a first reading on May 11th in order to transfer Title II and Title VI Funds received from the Virginia Employment Commission for month of March, 1976, to proper accounts, be approved for second and final reading, and that:-

\$ 2,301.00 chgd.to: General Fund (1005) Recoveries & Rebates- Title II- March

10,882.65 chgd.to: General Fund (1005) Recoveries & Rebates- Title VI- March

1,316.87 approp.to: General Fund (4040-12.50) Purchasing Agent- Wages- Title VI

552.00 approp.to: General Fund (6015-12.50) Police Court- Wages- Title VI

588.00 approp.to: General Fund (9010-12.01) Police Dept.- Title II- Traffic Control- Wages

1,498.58 approp.to: General Fund (9010-12.50) Police Dept.- Title VI- Patrolman- Wages

2,344.00 approp.to: General Fund (9020-12.50) Fire Dept.- Fireman- Wages- Title VI

1,713.00 approp.to: General Fund (10110-12.01) St. Inspection- Laborer- Wages- Title II

3,753.00 approp.to: General Fund (10110-12.50) St. Inspection- Laborer- Wages- Title VI

534.00 approp.to: General Fund (11020-12.50) Recreation- Rec. Instr.- Wages- Title VI

751.00 approp.to: General Fund (11020-12.51) Recreation- Park Maint. Supt.- Wages- Title VI

133.20 approp.to: General Fund (11020-12.51) Recreation- Janitor- Wages- Title VI

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

✓ Councilman Cline moved that a supplemental appropriation in the amount of \$ 3,909.48 requested by the Recreation Director in order to transfer monies received for participants' wages incurred during month of March 1976 as per agreement with the Virginia Employment Commission (CETA-Title VI(A)), be approved for second and final reading, a first reading having been approved on May 11th, and that:-

\$ 1,805.48 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

2,104.00 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

d 2,104.00 approp.to: General Fund (11020-12.00) Parks & Playgrounds- Wages

653.20 approp.to: General Fund (11020-12.01) Rec. Supvr.- Title II

537.28 approp.to: General Fund (11020-12.02) Ath. Supvr.- Title II

455.00 approp.to: General Fund (11020-12.03) Park Security Officer- Title II

160.00 approp.to: General Fund (11020-12.04) Maint. Man- Title II

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

✓ A request was presented from Assistant City Manager Driver for approval of an appropriation in the amount of \$ 21,716.52 from the General Fund Unappropriated Surplus Account in order to appropriate

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Title II and Title VI Funds to proper accounts for months of May and June, 1976, in that reimbursement would not be received in sufficient time to appropriate funds after receipt of same. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

\$ 21,716.52 chgd.to: General Fund - Unappropriated Surplus Account.
 2,724.24 approp.to: General Fund (4040-12.50) Purchasing- Wages- Title VI
 1,104.00 approp.to: General Fund (6015-12.50) Police Court- County Clerk-Wages-Title VI
 1,248.00 approp.to: General Fund (9010-12.01) Police Dept.- Traffic Control-Wages-Title II
 3,879.00 approp.to: General Fund (9010-12.50) Police Dept.- Policeman- Wages- Title VI
 2,000.00 approp.to: General Fund (9020-12.50) Fire Dept.- Fireman- Wages- Title VI
 3,956.00 approp.to: General Fund (11020-12.00) Recreation- PEP- Wages- Title VI
 1,221.20 approp.to: General Fund (11020-12.01) Recreation-Rec.Supvr.-Wages- Title II
 1,004.48 approp.to: General Fund (11020-12.02) Recreation- Ath.Supvr.-Wages- Title II
 860.00 approp.to: General Fund (11020-12.03) Recreation- Park Sec.Officer-Wages- Title II
 360.00 approp.to: General Fund (11020-12.04) Recreation- Maint.Man- Wages- Title II
 1,032.00 approp.to: General Fund (11020-12.50) Recreation- Rec.Instr.-Wages-Title VI
 1,502.00 approp.to: General Fund (11020-12.51) Recreation- Park Maint.Supt.-Wages-Title VI
 825.60 approp.to: General Fund (11020-12.52) Recreation- Janitor- Wages- Title VI

which motion upon being seconded by Councilman Cline, 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 \$ 1,138.22 from VPA Unappropriated Surplus Account in order to pay wages of Social Services Worker under Title VI funds for months of May and June, 1976, due to the fact that the funds would not be received in sufficient time to appropriate same for this purpose. Councilman Green moved that the appropriation be approved for a first reading, and that:-

\$ 1,138.22 chgd.to: VPA Fund - Unappropriated Surplus Account.
 1,138.22 approp.to: VPA Fund - (8021-12.50) Social Services Eligibility Worker-Wages-Title VI

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

✓ Manager Milam presented a request from the City School Board Office for approval of an appropriation in the amount of \$ 20,815.00 from the School Fund, Unappropriated Surplus Account, in order to provide funds for renovation of Memorial Stadium to meet plumbing and sanitary regulations. Following a brief discussion, Councilman Dingledine moved that the appropriation be approved for a first reading, and that:-

\$ 20,815.00 chgd.to: School Fund - Unappropriated Surplus Account.
 20,815.00 approp.to: School Fund (1900-600.02) Capital Outlay- Improvements to Sites.

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

✓ A request was presented from Mr. Paul Quintrell, Director of Finance, Harrisonburg City Schools, for approval of a supplemental appropriation in the amount of \$ 6,456.14 in order to allocate reimbursable CETA Title VI Funds, for April, 1976. Following a brief discussion, Councilman Green moved that the appropriation be approved for a first reading, and that:-

\$ 6,456.14 chgd.to: School Fund (R-28A) Receipts from Federal Funds- Other Fed.Funds- CETA (Anticipated Receipts)
 550.00 approp.to: School Fund (1200-135.50) Administration- Comp.Adm.Secretaries- CETA
 1,535.00 approp.to: School Fund (1201-109.50) Other Inst.Costs- Comp.Teacher Aides- CETA
 560.00 approp.to: School Fund (1201-109.51) Other Inst.Costs- Comp. Clerical Ass't for Instr.
 3,442.50 approp.to: School Fund (1201-134.50) Day School Instr.- Comp.Elem.Teacher.
 256.32 approp.to: School Fund (1205-119.50) Oper. School Plant- Comp. Custodians.
 112.32 approp.to: School Fund (1206-295.50) Fixed Charges- Employer Fringe Benefits- CETA

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

✓ A request was presented from the City School Board Office for approval of a supplemental appropriation in the amount of \$ 4,179.40 in order to appropriate funds received for employees employed under CETA Title VI Funds for January, 1976, received on March 6, 1976. Councilman Dingledine moved that the appropriation be approved for a first reading, and that:-

\$ 4,179.40 chgd.to: School Fund (R-28A) Receipts from Federal Funds- Other Fed.Funds- CETA
 1,300.00 approp.to: School Fund (1201-109.50) Other Inst.Costs- Comp.Teacher Aide- CETA
 2,025.00 approp.to: School Fund (1201-134.50) Day School Instr.- Comp. Elem.Teacher- CETA
 854.40 approp.to: School Fund (1205-119.50) Oper.School Plant - Comp. Custodians- CETA

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. Paul Quintrell, Director of Finance, Harrisonburg City Schools, for approval of a transfer of funds within the School Budget appropriations in the amount of \$ 11,599.00 in order to transfer unneeded funds to Maintenance & Operations to cover unanticipated costs due to price increases, etc. Following a run-down of the various accounts involved in the transaction, Councilmen Cline moved that the transfer be approved, and that:-

\$ 4,695.00 trans.from: School Fund (1207-134.01) Summer School- Comp. Instr.
 404.00 trans.from: School Fund (1207-305.00) Summer School- Inst. Supplies.
 3,500.00 trans.from: School Fund (1208-134.01) Adult Education- Comp.Inst. Suppl.
 3,000.00 trans.from: School Fund (1206-295.00) Fixed Charges- Employer Cont.Fringe Benefits.
 5,000.00 trans.to: School Fund (1205-207.00) Oper.School Plant- Electricity.
 3,599.00 trans.to: School Fund (1205-311.00) Oper. School Plant- Fuel.
 3,000.00 trans.to: School Fund (1205-290.01) Maint. School Plant- Cont. Serv. Bldgs.& Grounds.

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

✓ City Manager Milam requested approval of Council for a transfer within the General Fund in amount of \$ 18,425.00, said amount needed for legal and engineering services for pending court cases. Following discussion, Councilman Cline moved that the transfer be approved, and that:-

\$ 18,425. trans.from: General Fund (16000-87.00) Debt Ser.- Int.on Bonds- Series of 1975.
 18,425. trans.to: General Fund (18000-14.41) Reserve for Contingencies

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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 Superintendent of Water & Sewer for approval of a transfer of funds within water fund appropriations in the amount of \$ 4,000. due to insufficient funds to pay outstanding bills for completion of the Skidmore Dam Project. Councilman Dingledine moved that the transfer be approved, and that:-

\$ 4,000. trans.from: Water Fund (7-77.00) Work in Progress.

4,000. trans.to: Water Fund (7-77.01) Proj. #1-72-73- Skidmore Dam.

which motion upon being seconded by Councilman Green, 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 \$ 400.00 in order to transfer monies received from Valley Program for Aging Service, Inc., for rental of Price Rotary Senior Center (Feb., March, April & May), renting for \$100.00 per month. Councilman Cline moved that the appropriation be approved, and that:-

\$ 100.00 chgd.to: General Fund (1005) Non-Rev.Receipts- Recoveries & Rebates.

100.00 chgd.to: General Fund (1005) " " " " "

100.00 chgd.to: General Fund (1005) " " " " "

100.00 chgd.to: General Fund (1005) " " " " "

400.00 approp.to: General Fund (11026-390.00) Westover Park- Other Operating Expenses.

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

✓ City Manager said that although Council had agreed earlier in this meeting to review the Outline of Proposed Operating Contract for the Harrisonburg-Rockingham Regional Sewer Authority, he would recommend approving for first reading an appropriation in the amount of \$ 75,500. representing the local share (20% of Project Cost Division F - Hillendale and Division G - Belle Meade Interceptor Sewer Lines), at this time. He noted that the appropriation had been requested by the Water-Sewer Superintendent. Councilman Green moved that the appropriation be approved for a first reading, and that:-

\$ 75,500. chgd.to: Sewer Fund - Reserve for Depreciation & Replacement.

75,500. approp.to: Sewer Fund (2-390.01) Sewer Treatment & Disposal - Payment to Harrisonburg-Rockingham Regional Sewer Authority.

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

✓ Mr. Lloyd Schlicker, County Planner, was present in the meeting to give a more simple breakdown of budget requirements for the joint City, County, Town Planning Program for fiscal year 1976-77, which matter had been discussed at Council's meeting on May 11th, with no action taken regarding the City's share of cost until word was received concerning approval of 701 funds from the Department of Housing & Urban Development. A total amount of \$ 138,000. is proposed for the planning project which would employ 3 Planners, 3 Planning Assistants, 3 Draftsmen and support of 30% for Personnel. The City's share of cost would be 33.3% of the total amount, or an amount of \$ 37,650.00, or an amount of \$ 27,650. if HUD Grant is approved. He informed Council that he had been in contact with the Planning District and has learned there is a good chance of getting a \$ 30,000. Grant. The matter was discussed at length with all members of Council expressing reluctance in paying such a large percentage of the project, in that the City Planning Commission, Engineering Dept., etc. have maps, charts and other records to cover all facets for City Planning, as well as a Land Use Plan. Mr. Schlicker noted that the joint planning would be a long-range plan for 20-25 years, and noted that the County has been planning for a couple of years, some of which could affect the City of Harrisonburg, with no opinion from the City. Mr. Sullivan, Planning Director, expressed hope that HUD funds, if approved, would glue together long range plans as well as set out needed capital outlay projects, land use plan (existing and that to be molded), along the lines of that which has been done in the City of Richmond. Councilman Dingledine asked why the federal funds could not be used to begin the Study, rather than the additional money which is being requested from the municipalities. Mr. Schlicker stressed the time element in that planners must be acquired soon, if possible, and should they not be available, a consultant would have to be employed. After further discussion, Councilman Green moved that the matter be placed on Council's agenda for the next regular meeting in order to allow time for the City Planning Commission to be consulted regarding the matter, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

✓ City Manager Milam presented a proposed agreement between the City of Harrisonburg and Continental Telephone Co. of Virginia for adjustment of underground facilities in the South Main Street project. Total estimated cost is \$ 121,371.00, with the City's share in amount of \$ 28,936.00. It was noted that the cost figures had been sent to the Highway Department by the telephone company and the agreement drawn by them from figures submitted. Following discussion, Vice-Mayor Denton moved that the City Manager be authorized to sign the agreement and to pay the amount of \$ 28,936.00 from the South Main Street appropriation when due, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ The City Manager presented a contract between the City of Harrisonburg and Rockingham-Harrisonburg Halfway House, Inc., setting forth the amount of \$ 45,512.41 to be paid by the City in quarterly payments beginning the 1st day of July, 1976, through duration of the contract on June 30, 1977. In return for the compensation, the Halfway House will provide rehabilitation services for persons in the Harrisonburg community who suffer from the abuse of alcohol or other drugs (a residential facility for chronic alcoholics or other drug abusers during treatment & provide occupational therapy and rehabilitative counseling). He pointed out the fact that the organization receives a supporting grant from the Division of Justice & Crime Prevention of the Commonwealth of Virginia, and recommended that he be authorized to sign the contract for the amount so stated. Following a brief discussion, Councilman Green moved that the recommendation of the City Manager be approved, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ City Manager Milam reminded Council that every year, localities receiving Revenue Sharing Monies are required to publish a use report in the local newspaper. He presented a proposed Appropriation Ordinance covering the following capital outlay projects for the amount of \$ 181,092. to be received by the City of Harrisonburg:- Public Safety (Exhaust Fire Department), \$ 6,092.; Public Transportation (engineering study), \$ 15,000.; Recreation (Community Activities Center Bldg.), \$ 65,000.; Multipurpose & General

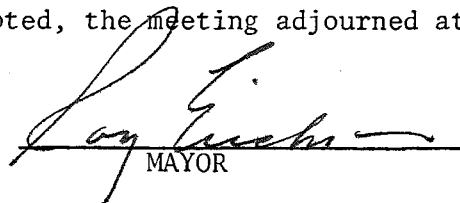
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Government (Street Equipment), \$ 30,000.; Education (Additions & Alterations to Harrisonburg High School Gymnasium (\$34,000.); Various Equipment (\$11,000.); Library Equipment-Keister School (\$5,000.); Library Equipment-Spotswood School (\$5,000.); Roof- Keister School (\$10,000.)-total for Education, \$ 65,000. Councilman Dingledine moved that the Appropriation Ordinance for Revenue Sharing Monies be approved for a first reading as presented, with authorization for the City Manager to publish same in the Daily News Record newspaper, which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Council.

★ ✓ Attorney George S. Aldhizer, Jr., representing Warner Cable, appeared before Council with a request for increase in cable rates in the amount of 75¢ per month due to increased operating costs and low return on investment. He presented a financial report in support of the request. It was pointed out that Harrisonburg residents benefit by the microwave system which is a very costly operation. Following discussion, Council agreed to give the request further consideration and notify the public of the increase request, between now and the next regular meeting, before any action is taken to approve or disapprove the request. (Refer To Addendum, page 182A).

There being no further business and on motion duly adopted, the meeting adjourned at 12:20 P.M.


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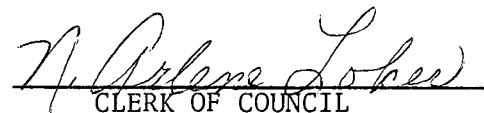

MAYOR

ADDENDUM TO MINUTES OF MAY 25, 1976
(recorded on page 182, paragraph 2)

In as much as it was the intent of Council to approve an ordinance for a first reading amending Section 34, paragraph (f) of the Community Antenna Television Franchise Ordinance increasing the monthly rate for Television Cable Service, AND

Due to the fact that proper procedure by recorded vote was not followed and same was not referred to the City Attorney to be drawn in ordinance form,

THIS ADDENDUM to those minutes is for the purpose of adjusting those minutes to say that a proper ordinance should be drawn and that said ordinance has been approved for a first reading at this meeting.


CLERK OF COUNCIL

June 10, 1977

A P P R O P R I A T I O N O R D I N A N C E
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

Public Safety:	\$ 6,092.
Exhaust Fire Department	6,092.
Public Transportation:	
Engineering Study	15,000.
Recreation:	
Community Activities Center Building	65,000.
Multipurpose & General Government:	
Street Equipment	30,000.
Education:	
Additions & Alterations to Harrisonburg High School Gymnasium	34,000.
Various Equipment	11,000.
Library Equipment - Keister School	5,000.
Library Equipment - Spotswood School	5,000.
Roof - Keister School	<u>10,000.</u>

TOTAL ESTIMATED CAPITAL EXPENDITURES \$ 181,092.

ESTIMATED REVENUE:

July 1, 1976 thru September 30, 1976 Estimate	\$ 90,546.
October 1, 1976 thru December 31, 1976 Estimate	<u>90,546.</u>

TOTAL ESTIMATED REVENUE \$ 181,092.

This ordinance shall become effective July 1, 1976.

Given under my hand this 8th day of June, 1976.

MAYOR

Attest:


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Tuesday, June 8, 1976

At a combined public hearing and regular meeting of Council held 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.

The evening's Invocation was led by The Rev. C. J. Martin, pastor of Muhlenberg Lutheran Church, Harrisonburg.

Minutes of the combined public hearing and regular meeting held on May 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 May, 1976.

From the City Treasurer:

A Trial Balance report as of close of business on May 29, 1976.

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 May, 1976.

From the City Auditor:

A financial report for the City of Harrisonburg, Va. for month of May, 1976.

A report of cash discounts saved during month of May, 1976 totaling \$ 274.73.

From the Department of Utility Billing:

A report of water, sewer & refuse accounts, meters read, installations, cut delinquents, complaints, re-reads, etc. for month of May, 1976.

✓ For information, correspondence dated 5/18/76 from Mr. Everette Smith, Chairman of the Shenandoah Valley Soil & Water Conservation District, was presented and read by the City Manager, in which it was noted that the possibility of recreational facilities on Dam 81 premises had been suggested at their last meeting, and the District's cooperation and support was offered in any way, should favorable consideration be given for recreation at the site. Another suggestion made was for all City owned land in the Rawley Springs area to also be made available for recreational purposes. It was asked that their request be sent to the Upper Valley Regional Park Authority, to seek its cooperation, also.

✓ Mayor Erickson closed the regular session temporarily and called the public hearing to order. City Manager Milam read the following notice of same as advertised in the Daily News Record newspaper on May 18 and June 1:-

"The Harrisonburg City Council will hold a Public Hearing on Tuesday, June 8, 1976, 7:30 PM in the City Council Chambers, Municipal Building, 345 S. Main Street, to consider the following rezoning requests:-

1. To change from R-2 Residential to R-1 Single Family Residential all properties in Pleasant Hill Acres-East Subdivision. This area includes all lots east of Central Avenue from Laurel St. East to Pleasant Hill Road, as shown in dots on the map above.
2. To change from R-3 Multiple Dwelling Residential to B-2 General Business all properties on the west side of S. Main Street, between Maryland Avenue and South Avenue, as shown in stripes above.
3. To change from R-1 Single Family Residential to R-3 Multiple Dwelling Residential the property located on the northeast corner of South Main Street and Port Republic Road. One dwelling (1240 S. Main St.) is involved, as shown in black above.

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

City of Harrisonburg - Marvin B. Milam, City Manager

The Mayor suggested that the three items be heard separately and called on anyone present desiring to be heard either for or against the Pleasant Hill Acres-East request. There being no one, Planning Director Sullivan pointed out the area on a map and explained that the west side of the subdivision is zoned R-1 Residential at the present time and noted that the rezoning of the east side to R-1 would be a logical connection, and had been previously recommended by the Planning Commission.

With regard to item No. 2 or rezoning request for the west side of S. Main Street (1300 Block) from R-3 Multiple Dwelling to B-2 General Business, or all properties between Maryland Ave. and South Ave., the Planning Director pointed out the area on a map and stated that the area is shown on the City's Land Use Plan as High Density Residential. The present zoning of R-3 permits professional offices, and if rezoned to General Business as requested, R-3 zoning would be on both sides of the area which was created in January of this year, following a public hearing of the Commission, by combining R-1 and R-2 zoning to R-3 the 14 lots involved. Attorney Stephen Bradshaw, representing Mr. Bill Neff, owner of two lots, and who had initiated the rezoning request, as well as the other petitioners within the area with the exception of two property owners, pointed out that this was not the first time this rezoning request had been before Council. He noted that the railroad tracks are to the rear of the properties and heavily travelled South Main St. in front, with a Bank on the opposite side of S. Main St. He said that the complexion of the area has been changed to a commercial atmosphere which is ideal for the community shopping center usage rather than for high density residential as presently zoned, in that the business would be beneficial to residents, whereas apartments would house many children on the busy street. In answer to a question, Attorney Bradshaw said that the rezoning request goes no further back than the railroad tracks. Mr. Robert Sullivan, City Planning Director, passed out maps showing all properties, names of owners involved in the 14 lot area, and called attention to the fact that the two property owners opposing the request were Miss Jean Copper and Mr. Bernard Blankenship. Mr. Dwight E. Miller, speaking for Dr. and Mrs. O. L. Miller, 1348 S. Main St. (east side), Miss Jean Copper, 1353 S. Main (west side) and Mr. Bernard Blankenship, 1353 S. Main (west side), requested denial of the rezoning

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request as recommended by the City Planning Commission, and pointed out that a petition bearing approximately 70 signatures opposing the request was in the hands of the Planning Commission. He expressed concern over businesses close to residences; paved areas; signs; noise; dust; trash containers, etc. He said that rezoning would be done at the expense of personal liberty of those residents in the area. A fact was pointed out that traffic on S. Main St. would be 198 cars per day for R-3 zoning, as compared with 1,000 cars per day for B-2 General Business zoning. Mr. Ed Foerster pointed out that the proponents are not residents of the area, nor the City, and reminded Council that previous requests for the area had been Krogers, Exxon, McDonalds and Hardies, and questioned how anyone sitting on Council would like these across the street from their residences. Ms. Marian Jameson of 1409 Crawford Ave. emphasized safety of school children, noting that future widening of S. Main St. will add more traffic in itself, without the addition of a shopping center.

The Mayor then asked the Planning Director to remark on request No. 3 or rezoning of property situated on the northwest corner of S. Main St. and Port Republic Road, from R-1 to R-3. Mr. Sullivan pointed out the location on a map and noted that the Planning Commission had recommended denial of the request for rezoning which was presented at an earlier meeting of Council. Attorney Holmes Harrison, representing Mr. Gary Judd, requestor, and Mr. and Mrs. Good, owners of the property, presented a petition of 25 signatures for the rezoning and noted that anticipated use for the property was professional offices comprised of 3 surveyors and 1 realtor, with no other occupants therein. He noted that the area would be enhanced by the business offices, over the vacant unkept property in its present state. There would be ample parking spaces provided. Mr. Harrison called attention to the fact that this is the only lot on the four corners which is presently zoned R-1 Residential, and said it has become unsuitable for a residential type dwelling. He cleared up points which were used as a basis of recommended denial by the Planning Commission in explaining that no requests had been received from a fraternity for use of the property, and further, that there are no restrictive covenants on this property with regard to business uses. According to the attorney, a court order is outstanding which provides for sale of the property at public auction, only if Mr. Judd cannot take over same for offices, and noted that he is one of the trustees for sale of same. A petition bearing approximately 60 signatures in opposition to rezoning of the property was presented, and several of the residents spoke, expressing concern that a decision could be made to house a fraternity in the future, as well as the fact that this may bring other requests for individual properties in the area to be rezoned to R-3.

The public hearing was declared closed at 9:05 P.M. and the regular session reconvened.

Mayor Erickson asked members if they desired to take action on the three rezoning requests at this time, or at a later date.

✓ Councilman Dingledine moved that request No. 1 for rezoning of Pleasant Hill Acres-East Subdivision from R-2 to R-1 be approved, as recommended by the Planning Commission, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

✓ Councilman Green moved that the Planning Commission's recommendation for denial of rezoning request of Mr. Bill Neff for the 14 lots on the west side of S. Main St., be approved, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ City Manager Milam noted that a portion of the Planning Commission's recommendation had referred to a court order with regard to rezoning request for the corner property by Mr. Judd, but that denial of rezoning had been recommended. Councilman Cline moved to approve the Planning Commission's recommendation for denial, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ City Attorney Lapsley presented a proposed ordinance amending Chapter 17 of the City Code with regard to parking meters and fines, by adding the following phrase to Sec. 17-48 as shown in parenthesis: "It shall be unlawful for any person to deposit or cause to be deposited in any parking meter, any coin for the purpose of extending (for more than one additional period) the time beyond the period allowed for parking in the parking meter space alongside of, or next to which, the parking meter in which the coin is deposited." Manager Milam reminded Council that the matter had been discussed at the last regular meeting and action deferred on a final reading until this particular section had been reworded to allow for feeding of a meter a second time. Mr. Buddy Showalter, a member of the Harrisonburg Parking Authority, was present in the meeting and said he would be in favor of the amendment or addition, as read. Following discussion, Councilman Dingledine moved that the ordinance, approved for a first reading on April 27th, be approved for second and final reading, with the Mayor 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 Cline, was adopted by a unanimous recorded vote of Councilmen present. (Refer to Ord. Bk K page 99).

✓ The City Attorney presented a reworded ordinance amending Chapter 17 of the City Code pertaining to residential permit parking, in which he had incorporated changes suggested by the Planning Commission, City Treasurer, and other members of the City Staff, none of which changes altered the boundaries previously established. He pointed out the various changes and offered an opinion that this could be tried on a trial basis as there may be some bugs in it which could not be detected at this time. City Manager Milam said that following one year, should the ordinance be adopted, another look would be taken to determine how September and January had worked out, these being the crucial periods for parking on residential streets surrounding the college and hospital. Following discussion, Councilman Green moved that the ordinance, as reworded and presented this evening, 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 Dingledine, was adopted by a unanimous recorded vote of Councilmen present. Following a brief discussion, it was agreed that the effective date of the ordinance be today (June 8) although permits would not be ready for issuance until the latter part of summer. (Refer to Ord. Bk K page 101).

✓ The City Manager reminded Council that the Appropriation Ordinance for Revenue Sharing Funds to the City of Harrisonburg for the 17th entitlement period in total amount of \$ 181,092. had been discussed with regard to appropriations to various funds, and approved for a first reading at the last regular

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meeting, leaving same up at this time for final approval. Following a brief discussion, Councilman Cline moved that the Appropriation Ordinance for Revenue Sharing Funds 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 Green, was adopted by a unanimous recorded vote of Councilmen present. (Refer to Minute Bk. N page 182).

★ ✓ Attorney George Aldhizer, Jr., representing Warner Cable, was present in the meeting to again explain the company's reasons for requesting a rate increase of 75¢ per month which matter had been discussed at the last meeting and action on same deferred. He asked that Council look at the financial situation of the company and act favorably on the request. Attorney Aldhizer said that the company must receive a fair return on its investment as it is a private concern and not a public utility, and must keep up with cost increases for salaries, equipment, etc. Council was informed that the request of 75¢ per month increase seems to be fair and should cause no loss of customers. Mayor Erickson called attention to a letter received concerning the large percentage of increase, or 4 1/2%. Attorney Aldhizer noted that the microwave system has been quite costly and has greatly improved service in the area. He also pointed out that about four years remain in the present franchise period, after which time it will have to be renewed and paid for again. Councilman Dingleline said 50¢ per month may be a more realistic increase, or 8% rather than 12% increase over the past couple of years. The District and Local Managers of Warner Cable said the increase was presented in the amount it would take to provide the best service and to operate on a fair return on investment. They said if Council was willing to approve 50¢ per month, they would accept it, although it was not what they wanted, noting that they could come back in another year for a look at the situation. Councilman Dingleline expressed appreciation for the presence of the Company representatives, but said he felt it would be in the best interest to authorize a 50¢ per month increase, and then moved that this increase be approved, resulting in a monthly charge of \$ 6.50 rather than \$ 6.00 as presently charged. The motion was seconded by Councilman Green and adopted by a majority vote of Councilmen present. Voting aye:- Councilmen Dingleline, Green and Erickson. Voting No:- Councilman Cline. Absent:- Vice-Mayor Denton. (Refer To Addendum page 184A)

✓ Council received a summary of an Alcohol Safety Action Program Feasibility Study, along with recommendations as submitted by the Central Shenandoah Planning District Commission. Council was informed by Mr. Bob Cash, a representative of the Commission, that the program would be administered by Blue Ridge Community College, with local judges serving on the Policy Board in as much as they would refer social drinkers, problem drinkers and/or alcoholics to the program from each of the participating political subdivisions, namely:- Augusta County, Bath County, Highland County, Rockbridge County, Rockingham County, Buena Vista, Harrisonburg, Lexington, Staunton and Waynesboro. An estimated budget figure was quoted in the amount of \$ 89,691. with revenue based on a fee of \$200. to be charged defendants, which would pay for the program. Three staff people, with one being a secretary, would use Halfway House for class teaching, etc. There being no financial request from the City, Council was asked to endorse the program in order that the College could go ahead with setting the program up. Although the program is felt to be self sustaining, it will not rule out an application for a federal grant to reimburse localities in case of a deficit. According to Mr. Cash, a person requesting the program could be referred to same by a local judge, with results of the program having bearing on later sentencing. Following a lengthy discussion, Councilman Cline moved that Council approve the program and the motion was seconded by Councilman Dingleline. Mayor Erickson offered an opinion that there had not been sufficient time to study the program, after which time Councilman Cline withdrew his motion and all members present agreed to study the agreement in more depth prior to taking any action. In answer to a question of the City Manager regarding what would happen to the Halfway House when this program was instituted, it was made known that this would be phased out in that people with drinking problems would be referred to the regular program by local judges. Councilman Cline moved that the matter be tabled until the next regular meeting to allow time for further study, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Councilmen present.

✓ Councilman Cline moved that an appropriation in the amount of \$ 21,716.52 requested by the Assistant City Manager in order to appropriate Title VI and Title II Funds to proper accounts for months of May and June, 1976, from the General Fund Unappropriated Surplus Account in that reimbursement would not be received in sufficient time, be approved for second and final reading, a first reading having been approved on May 25th, and that:-

\$ 21,716.52 chgd.to: General Fund - Unappropriated Surplus Account.

2,724.24 approp.to: General Fund (4040-12.50) Purchasing-Wages- Title VI

1,104.00 approp.to: General Fund (6015-12.50) Police Court- County Clerk-Wages- Title VI

1,248.00 approp.to: General Fund (9010-12.01) Police Dept.- Traffic Control- Wages- Title II

3,879.00 approp.to: General Fund (9010-12.50) Police Dept.- Policeman- Wages- Title VI

2,000.00 approp.to: General Fund (9020-12.50) Fire Dept.- Fireman- Wages- Title VI

3,956.00 approp.to: General Fund (11020-12.00) Recreation- PEP- Wages- Title VI

1,221.20 approp.to: General Fund (11020-12.01) Recreation- Rec.Supvr.Wages- Title II

1,004.48 approp.to: General Fund (11020-12.02) Recreation- Ath. Supvr. Wages- Title II

860.00 approp.to: General Fund (11020-12.03) Recreation- Park Security Officer-Wages-Title II

360.00 approp.to: General Fund (11020-12.04) Recreation- Maint.Man- Wages- Title II

1,032.00 approp.to: General Fund (11020-12.50) Recreation- Rec.Instr.-Wages- Title VI

1,502.00 approp.to: General Fund (11020-12.51) Recreation- Park Maint. Supt.- Wages- Title VI

825.60 approp.to: General Fund (11020-12.52) Recreation- Janitor- Wages- Title VI

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

✓ Councilman Green moved that a supplemental appropriation in the amount of \$ 1,138.22 requested by the Director of Social Services, from the VPA Unappropriated Surplus Account in order to pay wages of a Social Services Worker under Title VI Funds for months of May and June, 1976, in that funds would not be received in sufficient time, be approved for second and final reading, a first reading having been approved on May 25th, and that:-

\$ 1,138.22 chgd.to: VPA Fund - Unappropriated Surplus Account.

1,138.22 approp.to: VPA Fund (8021-12.50) Social Services Eligibility Worker- Wages- Title VI

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

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✓ Councilman Cline moved that an appropriation in the amount of \$ 75,500. requested by the Water and Sewer Superintendent in order to pay the local share (20% of Project Cost Division F - Hillandale, and Division G - Belle Meade, Interceptor Lines), be approved for second and final reading, a first reading having been approved on May 25th, and that:-

\$ 75,500. chgd.to: Sewer Fund- Reserve for Depreciation & Replacement.

75,500. approp.to: Sewer Fund (2-390-01) Sewer Treatment & Disposal- Payment of
Harrisonburg-Rockingham Regional Sewer Authority.

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

Councilman Dingledine moved that a supplemental appropriation in the amount of \$ 20,815.00 requested by the City School Board Office, from the account of School Fund Unappropriated Surplus, in order to provide funds for renovation of Memorial Stadium to meet plumbing and sanitary regulations, be approved for second and final reading, a first reading having been approved on May 25th, and that:-

\$ 20,815.00 chgd.to: School Fund - Unappropriated Surplus Account.

20,815.00 approp.to: School Fund (1900-600.02) Capital Outlay- Improvement to Sites
which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Councilmen present.

✓ Councilman Green moved that a supplemental appropriation in the amount of \$ 6,456.14 requested by Mr. Paul Quintrell, Director of Finance, Harrisonburg City Schools, in order to allocate reimbursable CETA Title VI Funds for April, 1976, be approved for second and final reading, a first reading having been approved on May 25th, and that:-

\$ 6,456.14 chgd.to: School Fund (R-28A) Receipts from Federal Funds- Other Fed.Funds-
CETA (Anticipated Receipts)

550.00 approp.to: School Fund (1200-135.50) Administration- Comp. Adm.Secretaries- CETA

1,535.00 approp.to: School Fund (1201-109.50) Other Inst.Costs- Comp.Teacher Aides- CETA

560.00 approp.to: School Fund (1201-109.51) Other Inst.Costs- Comp.Clerical Assistant for
Instructor.

3,442.50 approp.to: School Fund (1201-134.50) Day School Instr.- Comp. Elem.Teacher.

256.32 approp.to: School Fund (1205-119.50) Oper. School Plant- Comp. Custodians.

112.32 approp.to: School Fund (1206-295.50) Fixed Charges- Employer Fringe Benefits- CETA

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

✓ Councilman Cline moved that a supplemental appropriation in the amount of \$ 4,179.40 requested by the Director of Finance for Harrisonburg City Schools in order to appropriate funds received for employees employed under CETA Title VI Funds for January, 1976, be approved for second and final reading, a first reading having been approved on May 25th, and that:-

\$ 4,179.40 chgd.to: School Fund (R-28A) Receipts from Federal Funds- Other Fed.Funds- CETA

1,300.00 approp.to: School Fund (1201-109.50) Other Inst.Costs- Comp. Teacher Aids- CETA

2,025.00 approp.to: School Fund (1201-134.50) Day School Inst.- Comp. Elementary Teacher- CETA

854.40 approp.to: School Fund (1205-119.50) Oper.School Plant- Comp. Custodians- CETA

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

The City Manager presented a request from Mr. Paul Quintrell, Director of Finance for Harrisonburg City Schools, for approval of a transfer of funds within School appropriations from account of Pupil Transportation Service, in amount of \$ 500. in order to transfer unneeded funds to cover unanticipated expenses. Following discussion during which Council questioned the source of funds, it was agreed that action on the request be deferred until further information has been obtained.

The City Manager presented a request from Mrs. Marie Arrington, Director of Social Services, for approval of a supplemental appropriation in the amount of \$ 582.50 from account of Recoveries & Rebates in the VPA Fund, to cover salary costs for a Title VI employee in the department with federal funds. Following a brief discussion, Councilman Green moved that the appropriation be approved, and that:-

\$ 582.50 chgd.to: VPA Fund (1005-2) Recoveries & Rebates.

582.50 approp.to: VPA Fund (05-8021-12.50) Bureau of Personal Services-

Eligibility Worker (Title VI- CETA)- Diane Glick (April salary)

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

City Manager Milam presented a request from Assistant City Manager Driver for approval of a supplemental appropriation in the amount of \$ 11,167. from the General Fund account of Recoveries & Rebates, in order to transfer Title VI funds received from the Virginia Employment Commission for month of April, 1976, to proper accounts. Councilman Dingledine moved that the appropriation be approved for a first reading, and that:-

\$ 11,167.48 chgd.to: General Fund (1005.00) Recoveries & Rebates.

1,344.34 approp.to: General Fund (4040-12.50) Purchasing- Wages- Title VI

552.00 approp.to: General Fund (6015-12.50) Police Court- Wages- Title VI

1,939.70 approp.to: General Fund (9010-12.50) Police Patrolman- Wages- Title VI

2,344.00 approp.to: General Fund (9020-12.50) Fire- Firemen- Wages- Title VI

3,335.84 approp.to: General Fund (10110-12.50) St.Inspection- Laborer- Wages- Title VI

519.00 approp.to: General Fund (11020-12.50) Recreation- Rec. Inst.Wages- Title VI

751.00 approp.to: General Fund (11020-12.51) Recreation- Park Maint. Supt.-Wages-Title VI

381.60 approp.to: General Fund (11020-12.52) Recreation- Janitor- Wages- Title VI

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

✓ City Manager Milam informed Council that he had received a request from the Trustees of John Wesley United Methodist Church to place the matter of their bid of \$ 10,000. for six lots located on the corner of Sterling & Effinger Sts., on the agenda for tonight's meeting in order that the District Superintendent could be informed of action taken concerning same. Manager Milam reminded Council that

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the sealed bid of the church received on April 14 was the only response to the City's Ad in the Daily News Record newspaper. The matter was discussed after which time Councilman Green moved that the bid of John Wesley United Methodist Church in amount of \$ 10,000. be accepted, as advertised in the daily newspaper, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ With regard to a request from Rockingham Cooperative Farm Bureau to close 30' wide "Alley Street" which was presented to Council on March 9, 1976 and referred to the City Planning Commission, who, in turn, submitted a recommendation to Council at the regular meeting on April 27, 1976, for closing of the 240' length of street and requesting that Council appoint a Board of Viewers, City Manager Milam read the following report received from the duly appointed Board:-

"After a visit to the site of the 'Alley Street' as is shown on City Map attached hereto, we the viewers, acting upon a request of the adjacent property owner and a notice requesting that said 'Alley Street' be closed having been duly posted at the Rockingham County Court House and at the Harrisonburg Municipal Building in the City of Harrisonburg, Virginia, in compliance with the law.

We the viewers report that in our unanimous opinion said 'Alley Street' having a width of 30 feet, starting at the west side of the Chesapeake-Western Railway's line and running westward a distance of 240 feet to the Chesapeake Avenue's eastern line, can be closed without any anticipated inconvenience or disadvantage. It seems entirely feasible that the City may relinquish the common usage of the said 'Alley Street' and allow same to revert to the ownership of the Rockingham Farm Bureau and that the land so involved containing 7200 sq. feet be added to the tax books of the City in the name of the recipient thereof.

Respectfully submitted,

Signed: P.H.Hardy, T.H.Lowery, R.T.Benson, John H. Byrd, Sr."

Following discussion, Councilman Cline moved that the Board of Viewer's report be accepted and the proper City Officials authorized to take necessary action for closing (vacating) of "Alley Street" which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

✓ The City Manager presented an amended budget submitted by the School Board for 1976-77 in which capital outlay items were transferred to day school, thus changing various categories as well as the total of the City's balanced budget which had been adopted. He offered an opinion that this could not be done, in that Council had amended its budget by transferring an additional \$ 4,000. to Day School following a study session with the School Board and prior to final adoption of the budget. Following discussion, no action was taken on the amended budget.

✓ Assistant City Manager Driver informed Council that a vacant lot located on the southeast corner of Ott St. & Mountain View Drive, with a 61' frontage and 113' back, had been offered for sale by Attorney Hoover for the owner, Mrs. Luce. A buyer was found and a deed written before the City Building Official pointed out that the City wanted additional right-of-way for the widening of Mountain View Drive. The sale was then called off and the lot offered to the City of Harrisonburg for the purchase price of \$ 7,700. which included \$ 200. for attorney's fees, etc. The matter was discussed with the City Staff who felt it would be better for the City to purchase the lot, change the set-back and draw plans, rather than allow sale to someone else who may later claim damages. Following discussion, Councilman Cline moved that the City Attorney and City Manager be authorized and directed to negotiate with the potential purchaser re the requested right-of-way, and if the matter cannot be negotiated, the City purchase the lot at a maximum expenditure of \$ 7,700., which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

✓ For information, the City Manager informed Council that the Transportation Committee had recommended the hiring of a consultant from Norfolk to make a study of the City's public transportation needs at a cost of \$ 8,000. - \$9,000. for Phase I, and \$ 11,000. - \$12,000. for Phase II. He asked direction of Council as to how he should proceed in the matter. It was agreed that no action be taken on the recommendation at this time.

There being no further business and on motion duly adopted, the meeting adjourned at 11:55 P.M.

N. Arlene Lokes
CLERK

Lay E. Erish
MAYOR

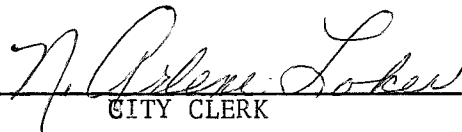
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ADDENDUM TO MINUTES OF JUNE 8, 1976

(recorded on page 185, paragraph 2)

Intent of Council was to approve an ordinance for second and final reading to increase the monthly charge for cable television service by 50¢, or from \$ 6.00 to \$ 6.50. In as much as the ordinance has been drawn, this addendum is to adjust minutes of that meeting in accordance with proper procedure. (Refer to Ord. Bk K, page 113).


CITY CLERK

(June 10, 1977)

DDJ550

Tuesday, June 22, 1976

At a regular meeting of Council held in the Council Chamber this evening at 7:30 PM there were present:- Vice-Mayor E. Warren Denton, Jr., City Manager Marvin B. Milam, City Attorney Norvell A. Lapsley, Clerk N. Arlene Loker, 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:- Mayor Roy H. Erickson.

Vice-Mayor Denton presided over the meeting in absence of the Mayor.

The evening's Invocation was led by The Reverend Ray Hatcher of Lutheran Rockingham Parish.

Minutes of the combined public hearing and regular meeting held on June 8th were read and approved as corrected.

✓ Correspondence dated 6/15/76 from Mr. W. D. Grow, Manager of Leggett Department Store, was presented and read by the City Manager. A request was made for Council to grant permission for a table to be set on the sidewalk in front of the store on August 4th for an Annual Early Bird Sale, where refreshments would be served to waiting customers. Manager Milam noted that each year Council approves

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sidewalk stands on a special date requested by the Retail Merchants although that particular request has not been received to date. Councilman Green moved that Leggett Department Store be granted permission as requested, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ The City Manager informed Council that notice had been received from the U.S. District Court that the Trustee in the bankruptcy case of W.T. Grant Company would sell certain assets of the company on June 18th, 10 AM at the U.S. Court House. The notice had been turned over to City Attorney Lapsley for proper handling on behalf of the City of Harrisonburg.

✓ Manager Milam read the following mailgram which he had sent to The Hon. J. Kenneth Robinson on June 16th:-

"H.R. 10210. AMENDMENT TO THE UNEMPLOYMENT COMPENSATION ACT, THE CITY OF HARRISONBURG REQUEST THAT YOU SUPPORT A MOTION TO DELETE COVERAGE OF STATE AND LOCAL GOVERNMENT EMPLOYEES FROM THE BILL"

He then read correspondence dated 6/17/76 which he had received from Mr. Robinson in reply to the mailgram informing that the House refused by a rather substantial margin to consider the Bill on May 17. Action taken was to vote down the rule providing for consideration, and he had voted in this way because he felt the tremendous increase in the taxable wage base and the extension of mandatory coverage to all employees of states, counties, cities, school districts, etc. and to farm workers and domestic workers would have proven counter-productive and prohibitively expensive. He expressed appreciation for the communication in opposition to H.R. 10210 (Unemployment Compensation Amendments) and gave assurance of his continued opposition to the measure.

For information, Council was advised that an invitation had been extended for members of Council and the City Manager to ride in the Bicentennial Parade on July 9th. Anyone desiring to participate in this way was asked to call Mr. Huffman (434-7681).

✓ Attorney Glenn Hodge appeared before Council with a proposal for establishment of a Harrisonburg-Rockingham Legal Aid Society for the purpose of handling various types of cases in the area involved (i.e. divorce, domestic relations, child support, custody hearings, etc.) which will have no effect on the present method of handling criminal cases. He explained that in 1971-72 a committee made a study of the project along with estimates for same. It had then recommended approval of the program to the Bar Association. The matter was tabled by the Bar. In 1975, the committee, in order to determine the need for a program such as this, again studied the matter, looking at current data, and had a survey made by various charitable organizations. Following the study, it was felt that there is a need in the area for services to low and moderate income families with annual salaries of \$5,000. or less, of which (according to information from the Chamber of Commerce) there are 4,000 in the Harrisonburg-Rockingham area involving 40-50 requests for services per month. The Bar Association's Human Relations Committee offered an opinion that the program should be well established insofar as plans were concerned, prior to submitting same again for approval. The Study Committee drafted a charter and by-laws, and recommended that a full-time attorney be employed for these needs which would be better than referral of cases to local attorneys. Attorney Hodge noted that the Society will be a non-profit organization with a Board of Directors comprised of seven members (five from the Bar Association and two from input of the community), and will establish the criteria, and oversee the entire program. This being accomplished, the organization was then approved by the Bar Association with the proviso that funds could be obtained. An estimated cost figure of \$ 27,000. was quoted by the attorney for a one-year operation and Council was informed that the State Legal Services Corporation had been contacted for funding. They have budgeted an amount of \$ 15,000. for a period from October 1 - July 1, with \$5,000. local matching funds. According to Attorney Hodge, Rockingham County turned down the program but will be asked to reconsider its decision. A request was made for the amount of \$ 2,500. from the City of Harrisonburg which represents one-half the local share, or a greater amount, if desired. No charge will be made for services of the attorney to be employed, but a nominal fee will be charged for court costs. City Attorney Lapsley pointed out the fact that the Society was approved by the Bar Association only after it was determined that the contract, etc. would be in strict control of the local Bar Association. Attorney Hodge noted that should it be determined after one year that there is no need for the Society, it will be discontinued. City Manager Milam asked that a legal agreement be submitted for review, prior to any decision of Council, and said that if approved, an account would have to be established to handle funds for the program. Attorney Hodge informed Council that the agreement would be between the State Legal Services Corporation and the Legal Aid Society, but added that an agreement could be drafted to include services to be rendered to the City of Harrisonburg for its share of cost. Manager Milam suggested that copies of the contract, agreement and budget be submitted, as well as any other pertinent information pertaining to the program, prior to Council action, noting further that the method of payment would have to be known. The City Attorney said this would be a lump sum funding, to which the City Manager replied that under the City's policy, payments to non-profit organizations supported by the City of Harrisonburg, are made quarterly. Following a lengthy discussion, Councilman Dingledine moved that the program be approved and the motion was seconded by Councilman Cline. Councilman Green offered an opinion that it should be done on a use load basis following the first couple of years after implementation of the program. Councilman Dingledine then made a substitute motion that Council support the program for the first year with a review of usage by the City to be made at that time, and that an appropriation in the amount of \$ 2,500. be approved for a first reading, and that:-

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

2,500. approp.to: General Fund (6016-19.00) Legal Aid Society- Other Personal Services.

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

✓ Mr. Wayne King, Superintendent of Schools; Mr. Paul Quintrell, Director of Finance for City Schools; Mr. Jack Neff, Chairman of the School Board and other Board members were present in the meeting concerning revisions in their 1975-76 budget requests which were submitted after Council's final approval of the budget appropriation ordinance. It was explained that the entire amount of \$ 21,000. or 1% increase in salaries, was placed in the account for Day School, while a portion of same should have been placed in other accounts for salary payments to other school employees other than teachers. City Manager Milam reminded Council and those present in the meeting that the Appropriation Ordinance had been approved for final reading prior to June 1, as required, and noted that two readings would be necessary for the

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school revisions. He said that it would be dangerous to start making any changes at this time for a budget which goes into effect on July 1 of this year. Mr. King said that the budget could be left as is, with transfers to be made at a later date as the need arises. Councilman Cline said he felt it was the Board's request that the entire 1% or \$ 21,000. be placed in the Day School account and not spread out over the budget. Councilman Dingledine offered opposition to any changes in the budget which was approved prior to June 1st, and suggested that the necessary transfers be made by the School Board, with Council's approval, to accomplish payment of the additional salary increases. Following a lengthy discussion, it was agreed that no changes be made in the Appropriation Ordinance for the 1975-76 City of Harrisonburg Budget.

✓ Council discussed with the School Superintendent, Representatives of the School Board and the School's Director of Finance, a request which had been made for a transfer of funds within school appropriations in the amount of \$ 500. This request had been presented at the last regular meeting of Council and deferred, pending further information concerning source of funds. Mr. Paul Quintrell explained that the amount would be charged to the account of Pupil Transportation which were unneeded funds, for the purpose of covering unanticipated expenses. Councilman Cline made a personal observation that all surplus and unneeded sums of money from all accounts should be placed in the General Fund Surplus in order that they may be appropriated to various accounts, as needed. Following discussion, Councilman Green moved that the transfer be approved, and that:-

\$ 500. trans.from: School Fund (1203-219.02) Pupil Transportation Serv.- Pupil Transportation.

150. trans.to: School Fund (1202-111.03) Attendance & Health Serv.- Comp.School Psychologist.

350. trans.to: School Fund (1200-299.00) Administration- Other Adm. Expenses.

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

✓ A request was presented from the City School Board for Council to approve additional spending from the State Literary Fund in amount of \$ 5,619.38 for the Spotswood & Keister School additions, or from \$ 771,017.56 to \$ 776,636.94. Following discussion, Councilman Cline moved that the School Board be authorized to spend the additional funds, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ The City Manager presented a request from the City School Board for Council authorization to expend funds of \$ 250,000. of the State Literary Fund Loan for the Claude Warren Field House. He referred to Council minutes of the October 14, 1975 meeting at which time the School Board was authorized to file for a Literary Fund Loan with a limit of \$ 250,000. for the Field House, subject to Council's final authorization for expending of funds. In as much as funds had been received, Councilman Green moved that the City Auditor be authorized and directed to establish a revolving fund titled "Claude Warren Field House" in amount of \$ 250,000. to handle the project, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ The City Manager presented a request from the City School Board for approval of a supplemental appropriation in the amount of \$ 25,000. due to insufficient funds to pay bills. Mr. Paul Quintrell, Director of Finance for City Schools, explained that the transaction would require no additional City money but rather that it was an in and out category with School appropriations. Cafeteria employees are paid on a 12-month basis, although they are actually 10 month employees, and bills which have been received for May and June must be paid. He noted that the funds, if approved, will not be spent unless received from federal or state funds. Following a lengthy discussion which included the fact that two readings would be required on the appropriation and that Council's next regular meeting would fall in the new fiscal year, Councilman Green moved that same be approved for a first reading, with a special meeting to be scheduled for Friday, June 25, 1:30 P.M. for the purpose of approving the appropriation for final reading prior to June 30th, and that:-

\$ 13,500. chgd.to: School Fund (R-27) Receipts from Federal Funds- School Food Service (Anticipated Receipts)

11,500. chgd.to: School Fund (R-35) Receipts from Other Funds- Cafeterias

13,500. approp.to: School Fund (1204-310.00) School Food Program- School Lunch & Milk subsidies.

11,500. approp.tp: School Fund (1204-399.01) School Food Program- Food

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

✓ Mr. Bob Cash, a representative of the Central Shenandoah Planning District, was present in the meeting to answer any questions concerning the Alcohol Safety Action Program (ASAP) which he had presented at the last regular meeting of Council, and which was tabled until this meeting date in order to allow time for further study. He said the Blue Ridge Community College is willing and able to administer the program, but requests endorsement of same by the participating governing bodies. Vice-Mayor Denton expressed concern with Section 7 of the agreement whereby the Board (made up of 5 District Court Judges) could amend the agreement which had been approved by the governing bodies, with their having no say in the matter. City Attorney Lapsley offered an opinion that any amendments to the agreement should come back to the governing bodies for approval. Mr. Cash pointed out that the agreement was actually between the Board of Directors and Blue Ridge College, but that same could be changed if desired. Councilman Cline asked the possibility of the City being provided with financial statements, in the event it may desire to turn to another alternative, although no city money is involved. City Manager Milam offered an opinion that the governing bodies would, at some time, be asked to contribute. He said that although the concept of the proposal for the Alcohol Safety Action Program is excellent, Council should consider the fact that the City has appropriated the sum of \$ 5,000. to Rockingham-Harrisonburg Halfway House which is located on Pear Street, and to which cases are currently being referred by local judges. He pointed out the fact that should this operation collapse, it would revert back to the City and County. Mr. Lee Hall, Director of Halfway House, presented each member of Council with a lengthy report concerning services rendered by the non-profit organization, noting that a charge of \$ 150. was placed on full treatment of a problem drinker, as compared with \$ 200. to be charged under the ASAP Program. Halfway House offers both inpatient & outpatient services, and is self supporting. He expressed concern that should funds received from ASAP be insufficient, all programs at Halfway House would be lost. Mr. Cash assured Council that the new program would in no way change the program at Halfway House, other than the fact that they would receive problem drinkers from other districts. Following a lengthy discussion, it was

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agreed that the matter be placed on Council's agenda for the next regular meeting on July 13 to allow time to consult Judge John Paul (a member of Halfway House and designated as a Board member of the Regional ASAP Program), for a recommendation.

✓ With regard to a previous request from Mr. Lloyd Schlicker, County Planner, for the City to participate in a joint City-County Plan, the following recommendation from a meeting of the City Planning Commission held on June 16, 1976, was read:-

"..The subject of joint City-County planning was brought up by Mr. Milam. He reported on recent discussions and news accounts of Rockingham County's proposed \$ 138,450. comprehensive study.. The suggested cost to be provided by the City is \$ 37,650. or approximately one-third of the total. Mr. Milam then referred to a method of implementing development based on the Code of Virginia section allowing application of a municipality's subdivision regulations within a distance of three miles from the corporate limits. If this provision of the Code of Virginia was in use, Harrisonburg would be involved in planning & development of the surrounding fringe areas which would help City and County planners in their efforts to coordinate the growth which is predicted to occur. Planning Director Sullivan showed a map to the Commissioners, illustrating the County areas which would be within the three mile limit of the City's corporate limits. Copies of Sec. 15.1-467 of the Code of Va. were distributed and reviewed. Before Harrisonburg could enforce its subdivision regulations under this section, the Rockingham County Board of Supervisors and County Planning Commission must be notified in writing of the City's intentions. The County Planning Commission must recommend approval or disapproval within 60 days.

Mr. Milam moved that the City Planning Commission recommend to City Council, the County Board of Supervisors, and the County Planning Commission that Sec. 15.1-467 of the Code of Virginia, as amended, be implemented by the City of Harrisonburg Planning Commission, and a copy of the City's Subdivision Control Ordinance be presented to the County Board and Planning Commission, with a letter requesting approval of this provision in the Code of Virginia. An alternative route of joint City-County planning and development suggested by Mr. Milam is for the City and County Planning Commissions to review, jointly all future subdivision proposals within a mutually agreed territory surrounding the City. Mr. Kuykendall seconded the motion and all members present voted in favor..(Messrs. Williams, Shank, Denton, Gilkeson, Kuykendall, and Milam).."

The City Manager noted that the General Assembly had approved an amendment to the Code which requires all cities and counties in the municipality to have a comprehensive plan by the year 1980, with same to be reviewed each five years. He pointed out that the City of Harrisonburg has a Land Use Plan and other plans to cover all facets of operation, and that the City has been in compliance with state laws. However, the City is now being asked to participate in a large sum of money on the joint City-County Planning Project, with very little planning benefits. Manager Milam could not offer a recommendation for the City to participate in the proposal since he feels this is a county problem and should be paid for by the County, but suggested that if approved, participation should be conditioned on the recommendation of the City Planning Commission. No action taken by Council, other than accepting the Planning Commission's recommendation for information.

✓ City Manager Marvin Milam presented correspondence dated 6/8/76 from the Chairman and Director of the Central Shenandoah Criminal Justice Training Center concerning a conflict which exists between the Center's By-Laws and the Charter. The By-Laws were approved on March 30, 1976 at a Board of Director's meeting, with no knowledge at that time of a conflict. According to the correspondence, Section 4 of the Charter states "the Board shall designate the chief financial officer of one of the participants to act as its fiscal officer"- while Section 3 under Article IX of the By-Laws states that the Executive Director will "act as fiscal officer to the Board." In order to correct the conflict the following change was recommended by the Board Chairman, with each member government requested to approve the same:- (Charter- Section 4) to read, "The Board shall designate the chief financial officer of one of the participants to act as its fiscal agent. The Board shall provide for the manner in which and by whom disbursements may be authorized, provided, that it shall ensure that the disbursement authorization system of the fiscal agent is employed." Following a brief discussion, Councilman Cline moved that the Harrisonburg City Council notify the Central Shenandoah Criminal Justice Training Center of its approval for the change of wording under Section 4 of the Charter as presented and read, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present. The Clerk was directed to send excerpts of Council action to Mr. J.E.Kent, Chairman, Bd. of Directors, and Mr. W.E.Brown, Director of the Training Center.

✓ City Manager Milam reminded Council that the City Charter requires an annual appointment of a CPA firm to make an audit for the City of Harrisonburg, which matter should be taken care of at this time. The Vice-Mayor asked Council's wishes. During discussion, members discussed the possibility of instituting a rotation system in order to use the services of all local CPA firms who can qualify for the audit, noting that the firm of Keeler & Phibbs had been employed for the past seven years. Councilman Dingleline moved that the firm of S.B.Hoover & Company be employed for the fiscal year ending June 30, 1976 if they are qualified, and if not qualified, that the firm of Keeler & Phibbs be reappointed. The motion was seconded by Councilman Green and adopted by a unanimous vote of Councilmen present. It was noted that information would be in by the next regular meeting as to whether or not the firm to be employed is qualified. Councilman Dingleline then withdrew his motion in view of unknown facts concerning qualification of the firm and made a substitute motion to override the already approved motion, that the firm of Keeler & Phibbs be reappointed for this year's audit, with Council co consider a rotation policy, compensation, etc. during the coming fiscal year for possible changes. This motion was seconded by Councilman Green and adopted by a unanimous vote of Councilmen present.

✓ Councilman Cline moved that an appropriation in the amount of \$ 11,167.48 as requested by Assistant City Manager Driver from account of Recoveries & Rebates in order to transfer Title VI funds received from the Virginia Employment Commission for month of April, 1976, to proper accounts be approved for second and final reading, a first reading having been approved on June 8, and that:-

\$ 11,167.48 chgd.to: General Fund (1005.00) Recoveries & Rebates.

1,344.34 approp.to: General Fund (4040-12.50) Purchasing- Wages- Title VI

552.00 approp.to: General Fund (6015-12.50) Police Court- Wages- Title VI

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\$ 1,939.70 approp.to: General Fund (9010012.50) Police Patrolman- Wages- Title VI
 2,344.00 approp.to: General Fund (9020-12.50) Fire- Fireman- Wages- Title VI
 3,335.84 approp.to: General Fund (10110-12.50) St.Inspection-Laborer-Wages- Title VI
 519.00 approp.to: General Fund (11020-12.50) Recreation- Rec. Instr.Wages- Title VI
 751.00 approp.to: General Fund (11020-12.51) Recreation- Park Maint.Supt.Wages- Title VI
 which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Councilmen present.

✓ A request was presented from the City Auditor for approval of a transfer of funds totaling \$13,000. from various accounts due to insufficient funds in the proper accounts for Social Security and Retirement payments. It was explained that Social Security had not been estimated a year ago for employees under the CETA program and the City has paid one extra quarter on retirement with another payment due this month. Following discussion, Councilman Dingleline moved that the transfer be approved, and that:-

\$ 183.00 trans.from: General Fund (4035-11.01) Data Processing- Data Processing Manager
 415.00 trans.from: General Fund (4040-11.02) Purchasing Agent- Systems Programmer.
 190.00 trans.from: General Fund (6015-111.00) Police Court- Comp. Police Justice.
 722.00 trans.from: General Fund (9010-11.06) Police- School Patrol Officers
 805.00 trans.from: General Fund (9020-12.00) Fire- Wages
 1,808.00 trans.from: General Fund (10110-12.00) St. Inspection - Wages
 1,280.00 trans.from: General Fund (11020-12.00) Recreation- Wages
 7,597.00 trans.from: General Fund (15050-390.00) Non-Departmental- Other Expenses
 8,000.00 trans.to: General Fund (4110-250.00) Retirement Board- Social Security.
 5,000.00 trans.to: General Fund (4110-320.00) Retirement Board- Retirement Fund Contribution-
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which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

✓ Council was reminded by the City Manager that some time ago lists of unpaid water, sewer & refuse accounts were presented along with a request from the Utility Billing Department that same be charged off city records rather than carrying same into the new year. The unpaid accounts total \$ 4,106.96 and were turned over to the City Treasurer who collected as many as possible. All deposits held by the City were applied on the final billings of the consumers. Following a brief discussion, Councilman Cline moved that the Dept.of Utility Billing be authorized to charge off the listed accounts, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

✓ Correspondence dated 6/2/76 from the Economic Development Administration, Mr. Thomas S.Francis, Director, Office of Development Organizations, advising that on the basis of unemployment date provided by the U.S.Dept.of Labor, it has been determined that the Harrisonburg Area to include counties of Page and Rockingham, qualify for designation as a redevelopment area under the Public Works & Economic Development Act of 1965, as amended, was presented and read for Council. Assistant City Manager Driver explained that this would be a joint program between the County and City with establishment of an over-all Economic Development Committee which must be approved by the Economic Development Administration. He pointed out that there were four types of grants which could fund the project, namely: Planning Grants, Technical Assistance Grants, Public Works, II and Business Loans, none of which could be used to purchase land such as Industrial parks. A letter of interest in being qualified must be sent to the Administration and signed by Rockingham County and the City of Harrisonburg. He said he could not recommend the city's participation, in that chances for the City to receive much in funds are slim. The matter was discussed after which time Councilman Dingleline moved that the Mayor be authorized to sign the letter of interest on behalf of the City of Harrisonburg, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ Councilman Raymond Dingleline, a member of the Bicentennial Commission, reminded Council that Mr. John Zirkle's resignation as Co-chairman of the Commission had been accepted on May 25th, with position unfilled, to date. He then moved that Mrs. Juanita Sanders, a present Commission member, be appointed to serve as Co-chairman. The motion was seconded by Councilman Cline, and adopted by a unanimous vote of Councilmen present.

✓ The Assistant City Manager informed Council that in as much as acquisition of ^{a portion of} property situated at the northeastern intersection of E. Market Street and Mason Street, currently being used as a used car sales lot (Star Auto Mart, Inc.) is necessary for the rounding off of curb at E.Market & Mason, he had requested that an appraisal of same be made by the American Real Estate Appraisal Corporation. In correspondence dated 6/16/76 from Mr. Joseph Durrer, Jr., Director of the Roanoke Office, an appraisal value of not more than \$ 1,900. was established for acquisition of the subject site which would include any attributable value reflected in the existing gravel surfacing. Following discussion, Councilman Green moved that the City offer to the owner an amount not to exceed \$ 3,000. for the site, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

There being no further business and on motion duly adopted, the meeting adjourned at 12:30 A.M.

[Signature]
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 VICE-MAYOR

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Friday, June 25, 1976

At a special meeting of Council held in the Council Chamber this afternoon at 1:30 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, and Deputy Auditor Phil Peterman. Absent:- Vice-Mayor E. Warren Denton, Jr., City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave.

City Manager Milam read the Special Meeting Call, setting forth purpose of said meeting as being that of a second and final reading of a Supplemental appropriation requested by the City School Board.

✓ Councilman Dingledine moved that a supplemental appropriation in the amount of \$ 25,000. requested by the City School Board from Anticipated Receipts from federal and other funds, to the School Food Program, be approved for second and final reading, a first reading having been approved on June 22nd, and that:-

\$ 13,500. chgd.to: School Fund (R-27) Receipts from Federal Funds- School Food Service
(Anticipated Receipts)

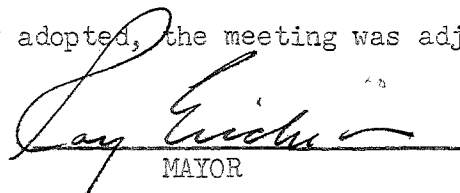
11,500. chgd.to: School Fund (R-35) Receipts from Other Funds- Cafeterias.

13,500. approp.to: School Fund (1204-310.00) School Food Program- School Lunch &
Milk Subsidies.

11,500. approp.to: School Fund (1204-399.01) School Food Program- Food
which motion upon being seconded by Councilman Cline, was adopted by a unanimous recorded vote of Councilmen present.

There being no further business and on motion duly adopted, the meeting was adjourned at 1:50 P.M.


CLERK


MAYOR

APPROPRIATION ORDINANCE
OF THE CITY OF HARRISONBURG, VIRGINIA

For the Fiscal Year Ending June 30, 1977

AN ORDINANCE MAKING APPROPRIATION OF SUMS OF MONEY FOR NECESSARY EXPENDITURES OF THE CITY OF HARRISONBURG, VIRGINIA, FOR THE FISCAL YEAR ENDING JUNE 30, 1977. 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, 1977.

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-one thousand, four hundred ten dollars and no cents (\$31,410.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 15,510.00
(2) Other Operating Expenses	9,900.00
(3) Capital Outlay	6,000.00

Paragraph Two - City Manager (2010)

For the current expenses of the CITY MANAGER, a division of the Executive Department, the sum of thirty-six thousand, fifty-five dollars and no cents (\$36,055.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 32,250.00
(2) Other Operating Expenses	3,805.00

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 sixty-seven thousand, eight hundred dollars and no cents (\$67,800.) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 55,875.00
(2) Other Operating Expenses	8,075.00
(3) Capital Outlay	3,850.00

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

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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 one thousand, five hundred dollars and no cents (\$1,500.00) is appropriated from the General Fund to be apportioned as follows:

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

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-nine thousand, one hundred seventy-two dollars and no cents (\$59,172.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$49,072.00
(2) Other Operating Expenses	9,300.00
(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, eight hundred dollars and no cents (\$1,800.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 1,300.00
(2) Other Operating Expenses	500.00

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-four thousand, four hundred ninety-three dollars and no cents (\$64,493.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$51,168.00
(2) Other Operating Expenses	12,325.00
(3) Capital Outlay	1,000.00

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 eighty thousand, eight hundred fifty-six dollars and no cents (\$80,856.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$53,636.00
(2) Other Operating Expenses	24,970.00
(3) Capital Outlay	2,250.00

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 forty-nine thousand, nine hundred forty-six dollars and no cents (\$49,946.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$29,836.00
(2) Other Operating Expenses	3,710.00
(3) Capital Outlay	16,400.00

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, seven hundred dollars and no cents (\$6,700.00) is appropriated from the General Fund to be apportioned as follows:

(1) Other Operating Expenses	\$ 6,700.00
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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 eighty-four thousand, one hundred twenty-four dollars and no cents (\$184,124.00) is appropriated from the General Fund to be apportioned as follows:

(1) Contribution to Retirement for City Employees	\$184,124.00
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Paragraph Fourteen - Circuit Court (6011)

For the current expenses of the CIRCUIT COURT, a division of the Judicial Department, the sum of five thousand, six hundred dollars and no cents (\$5,600.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 5,600.00
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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, two hundred dollars and no cents (\$10,200.00) 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	2,450.00

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
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Paragraph Eighteen - Lunacy Commission (6019)

For the current expenses of the LUNACY COMMISSION, a division of the Judicial Department, the sum of one thousand, two hundred twenty-five dollars and no cents (\$1,225.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 1,200.00
(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 eighteen thousand, two hundred sixty-eight dollars and no cents (\$18,268.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 8,273.00
(2) Other Operating Expenses	9,995.00

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 thirty-two thousand, eight hundred nineteen dollars and no cents (\$32,819.00) is appropriated from the General Fund to be apportioned as follows:

(1) Other Operating Expenses	\$ 32,819.00
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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, fifty-seven thousand, six hundred thirty dollars and no cents (\$457,630.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$362,930.00
(2) Other Operating Expenses	68,200.00
(3) Capital Outlay	26,500.00

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-five thousand, eight hundred seventy dollars and no cents (\$35,870.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 14,960.00
(2) Other Operating Expenses	12,910.00
(3) Capital Outlay	8,000.00

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
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Paragraph Twenty-Four - Fire (9020)

For the current expenses and capital outlay of the BUREAU OF FIRE, a division of the Department of

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Public Safety, the sum of one hundred, eighty thousand, two hundred forty-four dollars and no cents (\$180,244.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$117,719.00
(2) Other Operating Expenses	53,525.00
(3) Capital Outlay	9,000.00

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
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Paragraph Twenty-Seven - Engineering (10010)

For the current expenses and capital outlay of the BUREAU OF ENGINEERING, a division of the Department of Public Works, the sum of forty-five thousand, six hundred eleven dollars and no cents (\$45,611.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$42,976.00
(2) Other Operating Expenses	1,735.00
(3) Capital Outlay	900.00

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 forty-one thousand, nine hundred thirty-eight dollars and no cents (\$41,938.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$38,188.00
(2) Other Operating Expenses	3,150.00
(3) Capital Outlay	600.00

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, twenty-nine thousand, nine hundred forty-nine dollars and no cents (\$529,949.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$193,026.00
(2) Other Operating Expenses	148,323.00
(3) Capital Outlay	
74 Auto Equipment	17,000.00
76 Machinery & Equipment	6,600.00
77 Work in Progress	100,000.00
77G Blacks Run-Cleaning & Relocation	5,000.00
77J East-West Routes	20,000.00
77K South High Street	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 eleven thousand, two hundred sixty-two dollars and no cents (\$111,262.00) is appropriated from the General Fund to be apportioned as follows:

(1) Other Operating Expenses	\$111,262.00
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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 eighteen thousand, nine hundred dollars and no cents (\$18,900.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 10,400.00
(2) Other Operating Expenses	4,400.00
(3) Capital Outlay	4,100.00

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-one thousand, eight hundred ten dollars and no cents (\$71,810.00) is appropriated from the General Fund to be apportioned as follows:

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(1) Personal Services	\$ 13,500.00
(2) Other Operating Expenses	18,310.00
(3) Capital Outlay	40,000.00

Paragraph Thirty-Three- Street Cleaning (10330)

For the current expenses of the BUREAU OF STREET CLEANING, a division of the Department of Public Works, the sum of forty-five thousand, seven hundred twenty-five dollars and no cents (\$45,725.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 24,800.00
(2) Other Operating Expenses	20,925.00

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 eighty-seven thousand, six hundred seventy-six dollars and no cents (\$187,676.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$134,006.00
(2) Other Operating Expenses	29,670.00
(3) Capital Outlay	24,000.00

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 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 of PARKS AND PLAYGROUNDS, a division of the Department of Recreation, the sum of four hundred two thousand, eight hundred thirty-five dollars and no cents (\$402,835.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$154,185.00
(2) Other Operating Expenses	50,650.00
(3) Capital Outlay	198,000.00

Paragraph Thirty-Seven - Hillandale Park (11025)

For the current expenses of HILLANDALE PARK, a division of the Department of Recreation, the sum of thirteen thousand, nine hundred seventy dollars and no cents (\$1e,970.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 7,758.00
(2) Other Operating Expenses	6,212.00

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
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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-four thousand, seven hundred fifty-four dollars and no cents (\$24,754.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 19,329.00
(2) Other Operating Expenses	5,425.00

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, five hundred seventy-five dollars and no cents (\$4,575.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 2,500.00
(2) Other Operating Expenses	2,075.00

Paragraph Forty-One - National Guard Armory (11040)

For the current expenses of the NATIONAL GUARD ARMORY, a division of the Department of Recreation, the sum of fifteen thousand, forty-six dollars and no cents (\$15,046.00) is appropriated from the General Fund to be apportioned as follows:

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(1) Personal Services	\$ 7,956.00
(2) Other Operating Expenses	7,090.00

Paragraph Forty-Two - Planning Commission (13010)

For the current expenses and capital outlay of the PLANNING BOARD OR COMMISSION, a division of the Department of Boards and Commissions, the sum of thirty thousand, four hundred eighty-five dollars and no cents (\$30,485.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 26,635.00
(2) Other Operating Expenses	2,350.00
(3) Capital Outlay	1,500.00

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 of the BOARD OF ELECTIONS, a division of the Department of Boards and Commissions, the sum of fifteen thousand, six hundred dollars and no cents (\$15,600.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 12,000.00
(2) Other Operating Expenses	3,600.00

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 one hundred one thousand dollars and no cents (\$101,000.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 24,427.00
(2) Other Operating Expenses	76,573.00

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 eleven thousand, one hundred ninety-eight dollars and no cents (\$311,198.00) is appropriated from the General Fund to be apportioned as follows:

15030	Support of Community and Civic Organizations:	
	371 State Chamber of Commerce	\$ 120.00
	372 Chamber of Commerce (AMA Parade \$250)	2,250.00
	373 County Rest Room	1,750.00
	374 Rockingham Library Association	47,000.00
	375 Salvation Army	1,000.00
	376 Rescue Squad (Gas & Oil)	750.00
	377 Shenandoah Valley, Inc.	120.00
	378 Mental Health Clinic	8,958.00
	379 Veterans Band	600.00
	380 Upper Valley Regional Park Authority	9,051.00
	381 Commission - Regional Juvenile Detention Home	3,650.00
	382 Shenandoah Valley Soil & Water Conservation Dist.	400.00
	383 Halfway House - Matching Funds	5,000.00
	388 Blue Ridge Community College	1,440.00
	390-1 Rockingham County Historical Society	500.00
	390-2 Harrisonburg-Rockingham Bicentennial Commission	500.00
	392 Central Shenandoah Planning District	3,420.00
	393 Chapter 10 Board - Mental Health	2,781.00
	395 Valley Program for Aging Services, Inc.	4,000.00
	396 WVPT - Public Television	1,710.00
	397 Downtown Development	22,261.00
	398 Huckleberry House, Inc.	0.00
15040	Insurance and Bond Premiums	111,800.00
15050	Joint Expenses - Rockingham County:	
	390 Other Expenses	52,000.00
15060	Airport:	
	280 Subscription and Contributions	25,000.00
15070	Dues to Municipal Organizations:	
	280 Dues to Virginia Municipal League	2,100.00
	280-1 Dues to National League of Cities	180.00
15090	Annexation:	
	899 Annual Share Rockingham County Bonds and Interest	2,857.00

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,

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Page

Virginia, the sum of two hundred, thirty-five thousand, nine hundred ninety-two dollars and no cents (\$235,992.00) is appropriated from the General Fund to be apportioned as follows:

(1) Serial Bonds and Interest	\$235,992.00
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Paragraph Forty-Eight - Transfers to Other Funds (17)

For supplementing the revenue of other funds the sum of two million, seven hundred ten thousand, eight hundred thirty-nine dollars and no cents (\$2,710,839.00) is appropriated from the General Fund to be transferred as follows:

(1) Central Stores Fund	\$ 6,908.00
(2) Central Garage Fund	21,267.00
(3) Virginia Public Assistance	57,651.00
(4) Schools	2,625,013.00

Paragraph Forty-Nine - Reserve for Contingencies

For Reserve for Contingencies of the General Fund the sum of twenty-five thousand dollars and no cents (\$25,000.00) is appropriated from the General Fund to be apportioned as follows:

(1) Reserve for Contingencies	\$ 25,000.00
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S U M M A R Y

Expenditures and Revenue

Total General Fund Appropriations for the Fiscal Year Ending June 30, 1977	\$6,299,437.00
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To be provided for from the following anticipated
and estimated revenue which is as follows:

Anticipated cash balance July 1, 1976	\$ 215,323.00
General Property Taxes (estimated)	2,005,569.00
Other Local Taxes (estimated)	1,530,000.00
Licenses, Permits & Privilege Fees (estimated)	742,100.00
Fines & Forfeitures (estimated)	76,300.00
Revenue From Use of Money & Property (estimated)	66,000.00
Revenue From Other Agencies (estimated)	669,235.00
Service Charges for Current Services (estimated)	276,460.00
Sales of Services, Commodities & Properties (estimated)	350.00
Miscellaneous Revenue (estimated)	450,000.00
Non-Revenue Receipts (estimated)	202,500.00
Transfers from Other Funds (estimated)	65,600.00

Total General Fund Revenue (estimated) for the Fiscal Year Ending June 30, 1977	\$6,299,437.00
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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, 1977:

Paragraph One - 17A - Administration

For the current expenses of the ADMINISTRATION OF THE DEPARTMENT OF EDUCATION, the sum of ninety six thousand, three hundred ninety-three dollars and no cents (\$96,393.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Administration	\$ 96,393.00
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Paragraph Two - 17B1 - Regular Day School

For the current expenses of REGULAR DAY SCHOOL, the sum of two million, one hundred eighty-four thousand, eight hundred ninety-three dollars and no cents (\$2,184,893.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Regular Day School	\$2,184,893.00
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Paragraph Three - 17B-2 - Other Instructional Costs

For the current expenses of OTHER INSTRUCTIONAL COSTS, the sum of two hundred ninety-two thousand, seven hundred four dollars and no cents (\$292,704.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Other Instructional Costs	\$ 292,704.00
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Paragraph Four - 17C - Attendance and Health Services

For the current expenses of ATTENDANCE AND HEALTH SERVICES, the sum of eighteen thousand, nine hundred eighty-six dollars and no cents (\$18,986.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Attendance & Health Services	\$ 18,986.00
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Paragraph Five - 17D1 - Pupil Transportation Services

For the current expenses of PUPIL TRANSPORTATION SERVICES, the sum of three thousand, eight hundred fifty-four dollars and no cents (\$3,854.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Pupil Transportation Services \$ 3,854.00

Paragraph Six - 17E - School Food Services

For the current expenses of SCHOOL FOOD SERVICES, the sum of two hundred eighty-one thousand, six hundred fifty-six dollars and no cents (\$281,656.00) is appropriated from the City School Fund to be apportioned as follows:

(1) School Food Services \$281,656.00

Paragraph Seven - 17F1 - Operation of School Plant

For the current expenses of OPERATION OF SCHOOL PLANT, the sum of two hundred fifty-three thousand, three hundred ninety dollars and no cents (\$253,390.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Operation of School Plant \$253,390.00

Paragraph Eight - 17F2 - Maintenance of School Plant

For the current expenses of MAINTENANCE OF SCHOOL PLANT, the sum of one hundred thirty-three thousand, nine hundred fifty dollars and no cents (\$133,950.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Maintenance of School Plant \$133,950.00

Paragraph Nine - 17G - Fixed Charges

For the current expenses of FIXED CHARGES, the sum of one hundred sixty-two thousand, seven hundred fifty-three dollars and no cents (\$162,753.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Fixed Charges \$162,753.00

Paragraph Ten - 17H - Summer Schools

For the current expenses of SUMMER SCHOOLS, the sum of nineteen thousand, three hundred eighty-nine dollars and no cents (\$19,389.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Summer Schools \$ 19,389.00

Paragraph Eleven - 17I - Adult Education

For the current expenses of ADULT EDUCATION, the sum of sixteen thousand, seven hundred eighty-four dollars and no cents (\$16,784.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Adult Education \$ 16,784.00

Paragraph Twelve - 17J - Federal Programs

For the current expenses of FEDERAL PROGRAMS, the sum of seventy-eight thousand, twenty-six dollars and no cents (\$78,026.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Federal Programs \$ 78,026.00

Paragraph Thirteen - 19 - Capital Outlay

For the capital outlay of the DEPARTMENT OF EDUCATION, the sum of twenty-three thousand, two hundred ninety-five dollars and no cents (\$23,295.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Capital Outlay \$ 23,295.00

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 seventy-eight thousand, six hundred forty-seven dollars and no cents (\$178,647.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Serial Bonds & Interest, etc. \$ 178,647.00

SUMMARY

Expenditures and Revenue

Total School Fund Appropriations for
the Fiscal Year Ending June 30, 1977

\$3,744,720.00

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

Receipts from State School Funds	\$ 696,304.00
Revenue from Federal Funds	182,976.00
Receipts from City Funds	2,625,013.00
Receipts from Other Funds	240,427.00
Total School Fund Revenue (estimated) for the Fiscal Year Ending June 30, 1977	\$3,744,720.00

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, 1977:

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 eighteen thousand, three hundred eighty-six dollars and no
cents (\$18,386.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Personal Services	\$17,496.00
(2) Other Operating Expenses	890.00

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-seven thousand, three hundred eighty-five dollars and
no cents (\$57,385.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Personal Services	\$ 6,400.00
(2) Other Operating Expenses	50,985.00

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 eleven thousand, two
hundred ten dollars and no cents (\$111,210.00) is appropriated from the Water Fund to be apportioned as
follows:

(1) Personal Services	\$56,620.00
(2) Other Operating Expenses	54,590.00

Paragraph Four - Customer Accounting and Collection (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 fifteen thousand, one hundred seventy-five
dollars and no cents (\$15,175.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Personal Services	\$14,700.00
(2) Other Operating Expenses	475.00

Paragraph Five - Miscellaneous (5)

For setting aside reserves for depreciation and payment of taxes, the sum of two hundred fifty-
five thousand, four hundred eighty-seven dollars and no cents (\$255,487.00) is appropriated from the
Water Fund to be apportioned as follows:

(1) Depreciation	\$198,542.00
(2) Taxes	56,945.00

Paragraph Six - Water Purification (6)

For the current expenses of WATER PURIFICATION, a division of the Department of Public Service
Enterprises, the sum of one hundred thirty-one thousand, seven hundred fifty dollars and no cents
(\$131,750.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Personal Services	\$85,000.00
(2) Other Operating Expenses	46,750.00

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-two thousand, four hundred seventy-five dollars and no cents (\$92,475.00)
is appropriated from the Water Fund to be apportioned as follows:

(1) Capital Outlay:	
71 Engineering	\$10,000.00
74 Auto Equipment (1/2)	8,250.00
75 Furniture & Fixtures	125.00
76-1 Mach. & Equip.- Hydrants	1,000.00
76-2 Mach. & Equip. (1/2)	2,000.00
77 Work in Progress	40,000.00
79C Installation City Services	24,500.00
79R Installation Rural Services	6,600.00

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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 forty-three thousand, five hundred fifty-four dollars and no cents (\$243,554.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Serial Bonds, Interest, etc.	\$243,554.00
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Paragraph Nine - Non-Departmental (9)

For sharing the cost of operation in other funds for the benefit of the Water Fund, the sum of one hundred three thousand, eight hundred forty-two dollars and no cents (\$103,842.00) is appropriated from the Water Fund to be apportioned as follows:

(1) To General Fund, Sharing of Accounting, Collecting & Data Processing	\$60,000.00
(2) To Workmen's Compensation Insurance	16,800.00
(3) To Retirement & Social Security	13,000.00
(4) To Central Garage Fund	8,861.00
(5) To Central Stores Fund	5,181.00

Paragraph Ten - Transfers to Other Funds (10)

For sharing the cost of operation in other funds the sum of fifty-one thousand dollars and no cents (\$51,000.00) is appropriated from the Water Fund to be transferred as follows:

(1) To General Fund - Utility Tax	\$31,000.00
(2) To General Fund - Debt Service	20,000.00

S U M M A R Y
Expenditures and Revenue

Total Water Fund Appropriations for the Fiscal Year Ending June 30, 1977	\$1,080,264.00
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To be provided for from the following
Anticipated Revenue which is as follows:

Licenses, Permits & Privilege Fees (estimated)	\$ 42,100.00
Revenue From Use of Money & Property (estimated)	25,600.00
Service Charges For Current Services (estimated)	809,625.00
Sales of Services, Commodities & Properties (estimated)	100.00
Non-Revenue Receipts (estimated)	37,050.00
Transfers From Other Funds (estimated)	165,789.00

Total Water Fund Revenue (estimated) for the Fiscal Year Ending June 30, 1977	\$1,080,264.00
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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, 1977:

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 seventeen thousand, eight hundred seventy-one dollars and no cents (\$17,871.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) Personal Services	\$17,496.00
(2) Other Operating Expenses	375.00

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 two hundred thousand dollars and no cents (\$200,000.) is appropriated from the Sewer Fund to be apportioned as follows:

(1) Personal Services	\$ 55,335.00
(2) Other Operating Expenses	144,665.00

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-eight thousand, eight hundred forty dollars and no cents (\$138,840.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) Personal Services	\$55,440.00
(2) Other Operating Expenses	83,400.00

Paragraph Four - Miscellaneous (4)

For setting aside reserve for depreciation and the payment of taxes, the sum of one hundred one

thousand, six hundred thirty-two dollars and no cents (\$101,632.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) Depreciation	\$79,908.00
(2) Taxes	21,724.00

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 seventy-eight thousand, eight hundred seventy-five dollars and no cents (\$78,875.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) Capital Outlay:	
72 Engineering	\$12,000.00
74 Auto Equipment (1/2)	8,250.00
75 Furniture & Fixtures	125.00
76 Machinery & Equipment (1/2)	2,000.00
77 Work in Progress	40,000.00
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 eighty-three thousand, five hundred seventeen dollars and no cents (\$83,517.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) Serial Bonds, Interest, etc.	\$83,517.00
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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 one hundred six thousand, three hundred ninety-seven dollars and no cents (\$106,397.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) To General Fund- Share of Accounting, Collecting & Data Processing	\$60,000.00
(2) To Workmen's Compensation Insurance	8,400.00
(3) To Retirement & Social Security	13,000.00
(4) To Central Garage Fund	5,316.00
(5) To Central Stores Fund	5,181.00
(6) To General Fund - Debt Service	14,500.00

S U M M A R Y

Expenditures and Revenue

Total Sewer Fund Appropriations for the Fiscal Year Ending June 30, 1977	\$727,132.00
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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)	649,300.00
Non-Revenue Receipts (estimated)	17,050.00
Transfers From Other Funds (estimated)	49,782.00
Total Sewer Fund Revenue (estimated) for the Fiscal Year Ending June 30, 1977	727,132.00

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, 1977:

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 five hundred dollars and no cents (\$500.00) is appropriated from the Virginia Public Assistance Fund to be apportioned as follows:

(1) Medical Services	\$ 500.00
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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
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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 sixty-three thousand, three hundred fifty-four dollars and no cents (\$163,354.00) is appropriated from the Virginia Public Assistance Fund to be apportioned as follows:

(1) Personal Services	\$129,830.00
(2) Other Operating Expenses	33,524.00

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 five hundred sixty-nine thousand, twenty-six dollars and no cents (\$569,026.00) is appropriated from the Virginia Public Assistance Fund to be apportioned as follows:

(1) Other Operating Expenses	\$569,026.00
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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 sixteen thousand, three hundred forty-four dollars and no cents (\$16,344.00) is appropriated from the Virginia Public Assistance Fund to be apportioned as follows:

(1) Other Operating Expenses	\$ 16,344.00
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Paragraph Six - Capital Outlay (17)

For the capital outlay of the Department of Social Services, the sum of six thousand dollars and no cents (\$6,000.00) is appropriated from the Virginia Public Assistance Fund to be apportioned as follows:

(1) Capital Outlay	\$ 6,000.00
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S U M M A R Y

Expenditures and Revenue

Total Virginia Public Assistance Fund Appropriations for the Fiscal Year Ending June 30, 1977:	\$756,124.00
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To Be Provided For From the Following Anticipated Revenue Which is as Follows:

Revenue From Other Agencies (estimated)	\$698,473.00
Transfers From Other Funds (estimated)	57,651.00

Total Virginia Public Assistance Fund Revenue (estimated) For the Fiscal Year Ending June 30, 1977	\$756,124.00
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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, 1977:

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-eight thousand, four hundred forty-four dollars and no cents (\$58,444.00) is appropriated from the Central Garage Fund to be apportioned as follows:

(1) Personal Services	\$45,324.00
(2) Other Operating Expenses	6,320.00
(3) Capital Outlay	6,800.00

S U M M A R Y

Expenditures and Revenue

Total Central Garage Fund Appropriations for the Fiscal Year Ending June 30, 1977	\$58,444.00
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To Be Provided For From the Following Anticipated Revenue, which is as follows:

Sales of Services, Commodities & Properties (estimated)	\$23,000.00
Transfers From Other Funds (estimated)	35,444.00

Total Central Garage Fund Revenue (estimated) For the Fiscal Year Ending June 30, 1977	\$58,444.00
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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, 1977:

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 seventeen thousand, two hundred seventy dollars and no cents (\$17,270.00) is appropriated from the Central Stores Fund to be apportioned as follows:

(1) Personal Services	\$ 8,420.00
(2) Other Operating Expenses	6,050.00
(3) Capital Outlay	2,800.00

S U M M A R Y

Expenditures and Revenue

Total Central Stores Fund Appropriations for the Fiscal Year Ending June 30, 1977	\$17,270.00
To Be Provided For From the Following Anticipated Revenue, which is as follows:	
Non-Departmental (estimated)	\$17,270.00
Total Central Stores Fund Revenue for the Fiscal Year Ending June 30, 1977	\$17,270.00

TOTAL APPROPRIATIONS MENTIONED WITHIN SECTIONS I THROUGH VII IN THIS ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 1977
RECAPITULATION

Section I	(General Fund)	\$6,299,437.00
Section II	(School Fund)	\$3,744,720.00
Section III	(Water Fund)	\$1,080,264.00
Section IV	(Sewer Fund)	\$ 727,132.00
Section V	(Virginia Public Assistance Fund)	\$ 756,124.00
Section VI	(Central Garage Fund)	\$ 58,444.00
Section VII	(Central Stores Fund)	\$ 17,270.00

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 1976; it being expressly provided, however, that the provisions of this Ordinance shall not apply to household goods and personal effects as enumerated under subsection (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, 1976.

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, 1976, and ending June 30, 1977, 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 named 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 is transferred from one department to another.

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall become effective July 1, 1976.

Given under my hand this 25th day of May, 1976.

[Signature] CLERK

[Signature] MAYOR

DP1550

Tuesday, July 13, 1976

At a regular meeting of Council held in the Council Chamber this evening at 7:30 PM there were present:- Mayor Roy H. Erickson, Assistant City Manager John E. Driver, 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 Manager Marvin B. Milam and City Attorney Norvell A. Lapsley.

Minutes of the regular meeting held on June 22nd and special meeting of June 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 June, 1976.

From the City Treasurer:-

A Trial Balance report as of close of business on June 30, 1976.

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 June, 1976.

From the City Auditor:-

A report of cash discounts saved during month of June, 1976 totaling \$ 289.56.

From the Department of Utility Billing:-

A report of water, sewer & refuse accounts, meters read, installations, cut delinquents, complaints, re-reads, etc. for month of June, 1976.

✓ Assistant City Manager Driver presented a request from D. Kent Zimmerman of 236 Franklin St. and Lacy S. Daniel of 228 Franklin St., that the 10' alley between the two residences be closed in that it serves as a convenience only to the two property owners and contains no water or sewer lines. Mr. Driver 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.

✓ A request was presented from Mr. Gary A. Judd, Certified Land Surveyor, for resubdivision of lots 1-4 located northwest of the intersection of Fourth St. and Lee Avenue. Mr. Driver pointed out the area on a map and explained that it was the requestor's desire to make three lots out of the four (one facing Lee Ave., one corner lot, and one facing on Fourth St.) 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 Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ The Assistant City Manager presented a request from Mr. Gary Judd, Certified Land Surveyor, for re-subdivision of lots 3, 4 and 5 located on the northwest side of Dogwood Drive between the intersection of Sharpes Drive and South Avenue. He pointed out the area on a map and explained that the requestor desired to make four lots out of the 3 lots, each having a frontage of 130'. Councilman Green 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 Council.

✓ Correspondence dated 7/8/76 from Mr. Gary A. Judd was read, asking consideration of a proposed 10 lot subdivision to be called Section 6 of Preston Heights Subdivision, located on both sides of Mountain View Drive and extending from the southern end of Carlton Street to the northern side of Cantrell Ave. It was noted that approximately 400' of street will have to be constructed to connect the existing pavement of Mountain View Drive with Cantrell Avenue. The Assistant City Manager pointed out the area on a map and explained that the lots lead out from Andergren Drive to Carlton Street. Vice-Mayor Denton moved that the request (along with design) 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.

✓ Correspondence dated 7/2/76 from Mr. William Smith, attorney for the law firm of Clark, Bradshaw, Jolly & Smith, was presented and read by the Assistant City Manager. On behalf of a Madison Group, A Virginia Limited Partnership, a request was made for rezoning of a tract of land fronting approximately 206' on the west side of Reservoir St. from R-3 Multiple Dwelling to B-2 General Business. Assistant City Manager Driver pointed out the area on a map and explained that the Madison Group had purchased this tract of land in the vicinity of Camelot Nursing Home; Harrisonburg Sub-Station and the railroad tracks. 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 Vice-Mayor Denton was adopted by a unanimous vote of Council.

✓ Council was informed that notice had been received of a public hearing which will be held in the State Corporation Commission Court Room, Richmond, Va., October 18, 1976 at 10:00 A.M. on a request for rate increase by VEPCO. It was noted that a copy of the correspondence had been sent to the Harrisonburg Electric Commission.

✓ Council received a revised plan from Reherd Acres, Inc., for Unit 6 of Reherd Acres Subdivision located on the north side of Meadowlark Drive, along with a notation that no construction of the town-houses would be started until the water line had been completed to Old Furnace Rd. Councilman Green moved that the plan 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.

✓ For information, Mr. Driver advised Council of correspondence received from Mr. Dee Floyd, chairman of the Rockingham County Planning Commission concerning a meeting which had been scheduled for July 19, 7:30 PM with the City Planning Commission, to discuss the City's proposal that it be granted subdivision control over a 3-mile radius outside the city limits.

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✓ Attorney Steven Weaver appeared before Council on behalf of Ms. Helen Allen, with a request for consideration of reimbursement of costs levied against her for cleaning of several lots on Norwood St., along with taxes on same. He explained that Ms. Allen, an elderly lady, is one of five heirs and a resident of New York City. In the mid '40s all property previously owned by Mr. C. P. Williams was sold with the exception of these six lots. At that time, the owner of same was unknown. Since 1969, Ms. Allen has been receiving and paying taxes. It being her desire to sell the lots and divide the money between the present heirs, the law firm was asked to locate the others and sell the property. In 1975, following a letter which was sent to the New York address concerning the City's ordinance for mowing of vacant lots, and receiving no reply to the letter, the city had cleaned the lots and placed a tax lien of \$ 451.24 on the properties. Attorney Weaver said that Ms. Allen received this charge on her tax statement and was very concerned in that she did not receive the letter advising that the lots had to be cleared off. According to the attorney, all heirs have now been located and are willing to sell the lots. He asked the possibility of some relief being given for the added tax lien. The regular tax assessment on the lots this year was \$ 6.20 per lot. Assistant City Manager Driver told Council that the cost to the City for equipment, time, etc. involved in the cleaning, was approximately \$ 75.00 per lot and noted that an appraisal value of each lot as recorded in the office of Commissioner of Revenue is \$ 775.00 each. Chief Presgrave said that the letter had been sent to the New York City address and was later returned as undeliverable. Mayor Erickson expressed concern that any relief on the charge may set a precedent for other such requests. In as much as it was unknown where the returned letter had been filed, the Mayor suggested that the matter be deferred until the next regular meeting in order to obtain any information re the letter, and Chief Presgrave was asked to check his files for same.

✓ Judge John A. Paul was present in the meeting concerning the Regional Alcohol Safety Program in this area, which matter had been discussed at two prior meetings with Mr. Bob Cash, a representative of the Central Shenandoah Valley Planning District Commission. At the last regular meeting, Council had agreed to defer action until Judge Paul could be contacted for a recommendation in that he is a member of the Harrisonburg-Rockingham Halfway House Board and designated as a Board Member of the Regional Program. Judge Paul informed Council that the advisory committee had recommended a plan for the regional program and that since that time, Blue Ridge Community College has indicated that it will not administer same. The program is being operated at the present time with no resolutions from the governing bodies, which action would simplify bookkeeping by expending funds to the localities rather than to the state. He presented the following proposed resolution with a request that it be approved by Council and made effective as of this date, although it would possibly take another three months to check into other places to administer the program:-

- WHEREAS, it appears that an alcohol safety action program can be of benefit to the citizens of Rockingham County and the City of Harrisonburg; and
- WHEREAS, a joint program of the City and County to administer such a program is feasible and appears proper;
- NOW THEREFORE be it resolved as follows:
1. There is hereby established a Rockingham-Harrisonburg Alcohol Safety Action Program Commission to have membership and duties as hereinafter set forth.
 2. Membership - The Commission shall consist of the judges of the General District Court and the Juvenile and Domestic Relations Court serving Rockingham County and the City of Harrisonburg; the Chairman of the Rockingham Highway Safety Commission and of the Harrisonburg Highway Safety Commission; and one member designated by the County Administrator of Rockingham County and one member designated by the City Manager of the City of Harrisonburg. The Commission shall elect its officers and establish its own by-laws.
 3. The Commission shall have the duty of maintaining an efficient alcohol safety action program for the county and city. It may receive and disburse fees collected by the courts as provided in 182-271.1 and may hire personnel and enter into such contracts it may deem necessary or appropriate.
 4. No local tax revenues shall be appropriated by the governing body of the city or county for the operation of the Alcohol Safety Action Program.
 5. Termination - Either the City or County may terminate participation in such program upon adoption of a resolution to that effect.
- Enacted this 13th day of July, 1976.

Attest: _____ Mayor

_____ Clerk

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.

✓ For Council information, a report was presented from records of the Commissioner of Revenue's office concerning a recent auditing of applications for Tax Relief for the Elderly for the 1976 tax year. Conclusion: 60 applications filed with 8 disapproved and 61 approved; a total of \$ 5,701.16 tax relief was granted, with an even greater amount anticipated in years to come.

✓ Assistant City Manager Driver read correspondence from the Virginia State Library, Commonwealth of Virginia dated 7/1/76, advising the City Manager that under Section 208.1 "State Grants to Localities" as amended by the 1976 General Assembly, the Rockingham Public Library had been approved for the following Grants-in-Aid: State aid, \$ 26,694.; Federal aid, \$ 28,704. It was pointed out that the funds must be spent for the materials, equipment, travel, etc. related to operation of the Library. Attached to the correspondence was a list of requirements which must be met in order to receive State Grants-in-Aid as adopted on April 27, 1970, as well as the fact that written approval must be received from the governing bodies prior to expenditures. Mr. Driver offered an opinion that an excerpt from this meeting should be sufficient as written approval. During discussion, Vice-Mayor Denton offered an opinion that it was the Library's responsibility to meet the requirements as set forth. Councilman Green moved that Council approve the Grants, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ Council was informed by the Assistant City Manager that Mr. John Byrd, Building Official, had received requests for variances on footage for pump islands. Following a brief discussion, Councilman

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Cline moved that same 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.

✓ Members of Council received copies of a Traffic Count Report (2 1/2 hour traffic flow) for various locations in the City of Harrisonburg as prepared by the Planning Director from data supplied by the Virginia Department of Highways. Mr. Sullivan, Planning Director, pointed out certain facts from the report, noting that for years, the heaviest volume has been in the southern section of the City (S. Main, South of Cantrell Ave. and Grace St.) This year, the highest count registered was 18,340 for south of Port Rd. near Weaver Ave., with same location count only 16,600 last year. E. Market & S. High Streets ranked second and third in this year's count. He said that the count would be done again next spring and that the Assistant City Manager had written to the department requesting 18 new counts over and above the 35 count for this year. A traffic count is made outside the city limits every two years. The report was for information.

✓ For Council information, Assistant City Manager Driver reported that as of the latest word, Phase I of the South Main Street project will be advertised in August, with no delay at this time. Phase II is scheduled to be advertised next February or March. The project will be funded by only state and local funds.

✓ The Assistant City Manager presented an operating contract for the Regional Sewer Authority and requested a first reading on same. He noted that it would require two readings, but that it was not ready for final action until some additional revisions are made, adding the fact that all authority members from Harrisonburg do not agree on everything in this contract. One inclusion necessary in the contract is for the City to keep its present plant operational to be used as a backup treatment plant if the area should outgrow the regional plant (permission for this action must be granted by the state and federal officials.) Another factor not yet determined is actual cost to each locality. Other questions include Mt. Crawford's share of cost and whether the municipalities' guarantees of loans will be continued when bonds are issued to pay construction costs. Mr. Driver offered an opinion that the Authority should have a meeting for review and to make recommendations to City Council, hopefully prior to the next regular meeting. Mayor Erickson suggested that all members of Council sit in on the meeting prior to final action on the contract, and stated that he would be away on the next meeting date. Vice-Mayor Denton moved that the contract be approved for a first reading, which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Council.

✓ Council was informed by the Assistant City Manager that the Comprehensive Employment & Training Act (CETA) has been extended for an additional 90 days for phasing out of same, and that any employee under this program who are dismissed, cannot be replaced.

✓ Council was reminded that the Mayor had been authorized at the last meeting to sign a letter of approval, on behalf of the City of Harrisonburg, for a joint program between the City & Rockingham County for designation as a redevelopment area under the Public Works & Economic Development Act of 1965, as amended, and that the letter has now also been signed by Rockingham County. The report was for information only.

City Auditor William Shifflet reported that his books would be closed tomorrow evening at 5:00 PM and noted a very successful year for the City. He will have a monthly report by the next regular meeting of Council.

✓ The Assistant City Manager officially reported, for recordation in City Council minutes, that Mr. J.W. (Bill) Humes had been relieved of his duties as fire chief and named Chief of the new City Bureau of Fire Prevention and Coordinator of Emergency Services for the City of Harrisonburg. On July 7, 1976, he was suspended.

✓ Lists of delinquent taxes remaining unpaid at the close of the fiscal year ending June 30, 1976, as submitted by the City Treasurer, were presented by the Assistant City Manager, showing the following totals: 1971 Personal Property, \$ 434.47; 1972 Personal Property, \$ 575.80; 1973 Personal Property, \$ 488.35; 1974 Personal Property, \$ 966.99; 1973 Real Estate, \$ 538.65; 1974 Real Estate, \$ 3,361.45; 1975 Service Charge, \$ 633.52; 1976 Real Estate, \$ 31,083.23; 1976 Personal Property, \$ 4,806.06. The reports were for information.

✓ Assistant City Manager Driver expressed concern that the State Department of Agriculture and Commerce plans to expand its laboratory in order that large animals (i.e. horses, cows) may be examined there (116 Reservoir St.) He noted that although the State Department is not required to conform to the city's zoning laws, he feels that citizens in the area will have objections to such a move. Mr. Driver said he has asked for further information about the laboratory's plans, and will keep Council abreast of the matter. He mentioned the fact that the expansion might be of such a nature that it won't be noticeable. The report was for information only.

There being no further business and on motion duly adopted, the meeting adjourned at 10:25 P.M.

William Shifflet
CLERK

Ray Erickson
MAYOR

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Tuesday, July 27, 1976

At a regular meeting of Council held in the Council Chamber this evening at 7:30 PM there were present:- Vice-Mayor E. Warren Denton, Jr., 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:- Mayor Roy H. Erickson. The Vice-Mayor presided over the meeting in the absence of the Mayor.

Minutes of the regular meeting held on July 13th were read and approved as corrected.

✓ A letter dated 4/27/76 from Mr. E. D. Landreth to the Chairman of the Downtown Development Committee.

was presented by the City Manager, requesting that his resignation from the committee be accepted in that his schedule was in conflict with the meetings. Manager Milam noted that all members of the committee were appointed by Council. Councilman Dingleline moved that Mr. Landreth's resignation be accepted with regrets, and that appreciation of Council be expressed to him for services rendered to the committee, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

✓ Correspondence dated 7/7/76 from Mr. E. Luther Johnson of 111 Hyland Avenue was presented and read by the City Manager, calling Council's attention to an error in the spelling of his street on a street sign as "Hyland" when the deed to his property set forth the spelling of "Highland." He expressed a desire to retain the original spelling of the street and asked that immediate changes be made in City documents referring to the street. Councilman Dingleline mentioned the fact that he had been contacted by Mrs. Johnson concerning this matter some time ago. Assistant City Manager Driver explained that in 1960 there were 50-60 street names changed but that no written record can be found of Highland being changed to Hyland, although this was done at the same time. He said that Highland Court was so named later, as it was assumed that Highland Ave. was changed to Hyland Ave., and the street sign had been so changed. Following discussion, Councilman Green moved that the matter be referred to the City Planning Commission for investigation and report, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Councilmen present.

✓ Correspondence dated 7/23/76 from Attorney Thomas J. Wilson, Counsel for Mr. Harry Flippo, was presented by the City Manager, in which he advised that his client was principle owner of F & L Land Co., a limited partnership, and that the company had purchased most of the lots in the Homestead Heights Subdivision from David W. Brown, Inc. He had also purchased the right to use plans for the water & sewer installations as approved by the City Engineer and Water-Sewer Superintendent. Attorney Wilson noted that the county officials had suggested that Mr. Flippo consider an R-5 zoning which is Planned Residential Development in order to better utilize the land. This was done and the county has tentatively approved the rezoning based on a preliminary plat. In as much as it is necessary to complete engineering work on water and sewer line installation, and since the subdivision has been approved for water and sewer, it was requested that Mr. Flippo be permitted to present the plat revision to Council and if necessary, that it be referred to the City Planning Commission. City Manager Milam informed Council that the land is known as the R.T. Bruce property and recommended that it be referred to the Planning Commission for study and recommended. Following discussion, Councilman Cline moved that the recommendation of the City Manager be approved, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

✓ Mr. Joseph Eney, Chairman of the Downtown Development Committee, was present in the meeting for the purpose of making a status report of proposed planning thus far, and also to present three sketches of anticipated changes around Court Square, ranging from minor to extreme. He said it was hopeful that by the next meeting of Council a recommendation could be in readiness for construction of a covered walkway from the new parking deck to Court Square as this is a priority item for revitalizing the downtown area, as drawn by the firm of Harland, Bartholomew & Associates of Richmond. It is felt to be necessary to begin downtown improvements immediately in order that it may be competitive with outlying areas where shopping centers are located. Mr. Eney said that a request for an appropriation by Council will be made at a later date. Following a question and answer session, Vice-Mayor Denton thanked Mr. Eney for the report and presentation.

✓ With regard to a matter involving a tax lien placed on six lots located on Norwood Street for clearing of same by city forces, and which was included on a tax statement sent to Ms. Helen Allen in New York, one of the heirs, Chief Presgrave reported as follows concerning the whereabouts of a certified letter which was returned as undeliverable, in compliance with a request of Council at its last regular meeting. Police files revealed correspondence to Ms. Allen from 1971 to 1973 concerning upkeep of the lots, with communication in July 1972 from her to the City Treasurer advising that the police department had written her about cleaning of leaves. In August of 1972, she had written the City Manager inquiring about getting the lots cleaned after which time the police department sent a memo to Ms. Allen advising that they would check into getting someone for the job. However, it was felt that the job was too large and she was informed that she would have to make arrangements to have same done. On July 23, 1975 the certified letter was returned as undeliverable, which was the last time contact with Ms. Allen was attempted. Chief Presgrave offered an opinion that Ms. Allen was aware of the lots needing mowing due to correspondence received from her in the past concerning same. Attorney Steven Weaver said he would concur in the fact that she was aware but that the City had not been in touch with her for two years. He noted that this is considered more or less a charity case by the law firm as they are charging for only a fraction of time which is spent on it. The lots are of no benefit to Ms. Allen but the community does benefit from cleaning of them. An observation was made by the attorney that in as much as tax relief is available under a recent ordinance, for the elderly, that possibly this could be used as a basis for consideration on the tax lien. He called attention to the fact also that the discussion had revealed that two different addresses had been used in contacting Ms. Allen which could account for the returned letter. Councilman Dingleline asked if the amount due the City could be added to the appraised value of the lots which are 114' deep and 40' wide and each having a 240' road frontage. City Manager Milam informed Council and attorney Weaver that several developers had inquired about the lots, but his understanding was that the owners did not desire to sell. Mr. Weaver mentioned only one inquiry as that from Mr. Bill Neff, and noted that all heirs have now been located and agreed to sell. Following discussion, Attorney Wesvar was asked to get two appraisals on the lots and forward these to the City Manager, after which time Council will consider the request for some relief on the tax lien.

✓ The City Manager presented and read a letter dated 7/12/76 from Mr. C. Robert Hartt, Executive Secretary of the Harrisonburg Retail Merchants Association, requesting permission of Council to hold a "Casual Days" promotion the week of August 9th in the downtown business area. Some of the stores may wish to use a portion of sidewalk for display or selling of certain items, as well as stands with food or soft drinks for customers. No portion of the city streets or parking lots would be used for this promotion. Manager Milam pointed out that this has been an annual request of City Council over the past number of years, and that no problems have arisen from granting of same. Following a brief discussion, Councilman Green moved that the request of the Retail Merchants Association be approved, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Councilmen present.

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✓ The following recommendation submitted by the Planning Director from a meeting of the Commission held on July 21, 1976, was read by the City Manager:-

"...A revised map of the Reherd Acres Master Plan was presented to the Commissioners. The Director showed the original Master Plan for Reherd Acres, approved by City Council in October 1974, and compared it to the revised map, explaining to the Commissioners that more townhouse units and fewer multiple apartments are projected. If the amended Plan is carried out, six clusters of townhouses totaling 40 units will be constructed along the north side of Meadowlark Drive. The proposed neighborhood shopping area surrounding the old barn will remain basically the same, and the number of multiple apartments will be 120 instead of 150 to 200 units. About 6.3 acres of green open space will surround the apartments, which primarily face Old Furnace Road.

After questioning some of the parking lot details and access lanes, and noting that this revised map is a 'preliminary' or 'general' plan subject to detailed layout planning in the future as it is developed by sections, Mr. Kuykendall moved that the Planning Commission recommend approval of this amendment to the Master Plan for Reherd Acres. Mr. Williams seconded the motion and all members present voted in favor."

Planning Director Sullivan pointed out the area on a map explaining that the revisions are proposed for the northern half of the subdivision. If approved by Council, the revisions will be attached to, and made a part of the original master plan. 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 Councilmen present.

✓ City Manager Milan presented and read the following recommendation as submitted by the Planning Director from a meeting of the Commission held on July 21, 1976:-

"...The Final Plans for Reherd Acres Subdivision, Sections 5 and 6, were described and oriented to the overall Reherd Acres subdivision map.

Mr. Sullivan explained that Section 5 has twenty single family lots to be arranged along both sides of a new cul-de-sac street, Bobwhite Place, while Section 6 is a proposed twelve lot townhouse area plus a Common Area lot which will be used primarily for parking vehicles behind the townhouses. This group of townhouses will be the first ones along the north side of Meadowlark Drive.

The City Engineer and the developer's surveyor have worked out the storm drainage easement location in Section 5 but a review of street profiles and grades for Bobwhite Place has not been finished. In Section 6, construction of Meadowlark Drive has been completed as part of a previous section.

Mr. Williams offered a motion recommending Planning Commission approval of both Sections 5 and 6 of Reherd Acres Subdivision, subject to the City Engineering Department's review and acceptance of Street profile and grades for Bobwhite Place. Mr. Kuykendall seconded the motion and all members present voted in favor of the motion..."

Planning Director Sullivan noted that Reherd Acres was one of the fastest moving subdivisions and gave background information from development of Section 1 in 1974 to the present time. He noted that only one problem exists at this time regarding the dual request, it being that the engineering profile for one of the sections has not been reviewed by the City Engineer or Water-Sewer Superintendent. City Manager Milan suggested that the recommendation could be acted upon separately for the two sections, or both sections be approved subject to review and approval of City Departments, as recommended by the Planning Commission. Mr. Jack Depoy said he would like to keep the men working on the water line in order to complete same. Councilman Green moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ The following recommendation of the Planning Commission from a meeting on July 21, 1976 was read by the City Manager:-

"...A Preliminary Plan for Preston Heights Subdivision, Section 6, was presented and oriented to the surrounding street patterns and developments.

The Director reviewed the staff's subdivision review report, noting in particular that this 10-lot addition to Preston Heights will involve extending Mountain View Drive southward to Cantrell Ave.; because of topographic conditions, the steep grade from Andergren Drive to Cantrell Avenue has resulted in curving Mountain View Drive. Also, the proposed intersection of Mountain View Drive and Cantrell Ave. will provide better sight distance and avoid a high bank which was created when Cantrell Avenue was built. Mr. Gary Judd, surveyor, has worked closely with City Engineer Devier in designing this layout of lots and new street, and location of utility easements for water and sewer lines has been okayed by the City Water & Sewer Department.

Mr. Kuykendall offered a motion recommending Planning Commission approval of the Preliminary Plan for Section 6, Preston Heights Subdivision. Dr.

Shank seconded the motion and all members present voted in favor..."

Planning Director Sullivan explained that Mountain View Drive would be extended southward to Cantrell Ave. but not in straight fashion, but rather on a curve due to topographic conditions, as well as to avoid a deep cut. He noted that the Preliminary Plan had been worked out by the surveyor and City Engineer, and that the final plan will come before Council later. On a map, the Director pointed out that a couple of the lots could fall in R-1 zoned area and the remainder under R-2 zoning, adding that the dividing line could be changed. Mr. Sullivan said there was no master plan for tie-ins to Cantrell Ave., but that this may be advisable. Following discussion, Councilman Cline moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Vice-Mayor Denton, was adopted by a majority vote of Councilmen present. Voting aye:- Councilmen Cline, Denton and Dingledine; Councilman Green abstaining from the vote due to Preston family relationship; absent:- Mayor Erickson.

✓ The following Planning Commission recommendation was read by the City Manager:-

"...A Preliminary Site Plan for a 12 acre 'College Court Townhouse Development' was presented and described as follows:

- (a) The land is zoned R-3 Multiple Dwelling District;
- (b) 74 'for sale' townhouses are proposed to be built in 3 phases;
- (c) The entrance road will be off Cantrell Ave. opposite the proposed Mountain View Drive in Section 6 of Preston Heights;
- (d) A 30' access easement is shown in the southwest corner of the property, to permit a connection between the plan's proposed public street and a 50' right-of-way which connects with Eastover Drive;
- (e) A 'wet weather' stream and an existing sewer trunk line bisect the 12 acre site and townhouse structures will be placed along both sides of the stream and sewer trunk line.

Mr. Denton explained that he will not participate in the discussion as he is a member of 'The Madison Group' which has purchased this property and proposes to develop it.

Mr. Kuykendall suggested the 30' access easement in the southwest corner be changed to 50'. Mr. Driver stated that two 12' arches should be designed under the entrance street for Siberts Creek, as was done when Paul Street crossed the stream. Mr. Sullivan asked if the wet weather streams bisecting the site will be left open, re-channelled, or placed in pipe lines; Mr. Ed McClintock reported that the streams will be left as is, and each group of townhouses will be constructed above flood plains. The Director also asked if the back yards along the west (Eastover Subdivision) boundary could be enlarged by placing the townhouses closer to the parking lots as shown on the preliminary site plan.

Based on the fact that this review is of a preliminary plan for general layout and concept approval, Mr. Williams moved that the Planning Commission recommend acceptance of the College Court Preliminary Site Plan, subject to changing the access easement to 50' in the southwest corner of the site.

Dr. Shank seconded the motion and all members present voted in favor with Mr. Denton abstaining..."

The Planning Director explained that rezoning would not be involved in that this area was zoned R-3 when the Oakhill Apartments were constructed in 1964. He said that the development would be done in three stages and pointed out that the 50' right-of-way was needed in that a full fledged street may be needed some time in the future. Mr. McClintock gave a verbal picture of the dwellings to be constructed which will blend into the area as well as enhance it. A recreational area will be provided for tennis, volleyball, etc. 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 majority vote of Councilmen present:- Voting aye:- Councilmen Cline, Green and Dingledine; Vice-Mayor Denton abstaining; and Mayor Erickson, absent.

City Manager Milam presented and read correspondence dated 7/21/76 from Mr. Stanley C. Walker of the Virginia State Crime Commission advising Mayor Erickson that the Commission is conducting an in-depth Crime in Virginia Project, with emphasis placed on major crime problems and related crime prevention needs. For the study, the state has been divided into nine regions and the Commission is concentrating on one region at a time with staff members traveling throughout the state from time to time in connection with the program. The correspondence further noted that public hearings are anticipated in some areas of the state in order to acquire the broad views of the citizens of the Commonwealth, with the assistance of sheriffs and chiefs of police being sought. If so desired, Council was asked to appoint one member or a small sub-committee of Council to meet with the Commission's staff while in this area, within the next month. Following discussion, Councilman Dingledine moved that Chief of Police Richard W. Presgrave, Sheriff Glenn Weatherholtz and City Attorney Norvell A. Lapsley be appointed to meet with the Commission staff, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

Correspondence dated 7/20/76 was presented and read from Mr. David Rundgren, District Executive Director of the Central Shenandoah Planning District Commission, enclosing therewith a proposed resolution supporting Criminal Justice Planning as a function of the Commission. It was noted that the resolution had been adopted at a meeting of the Planning District Commission held on July 19th and was being sent to each governing body under Planning District 6 for approval in supporting criminal justice planning as a function of the Central Shenandoah Planning District Commission, scheduled to be effective October 1, 1976. The resolution was then read as follows:

WHEREAS, the City of Harrisonburg created the Central Shenandoah Planning District Commission, under the provisions of the Virginia Area Development Act, to carry out a program of physical, social, and economic planning; and

WHEREAS, Criminal Justice Planning is an element of social planning having been assigned to each of the planning district commissions by the General Assembly; and

WHEREAS, Criminal Justice Planning has been carried out by the Central Shenandoah Planning District Commission since 1970-71; and

WHEREAS, there is a need for coordinating the planning efforts of local criminal justice agencies with those of the State agencies; and

WHEREAS, it is understood that the Division of Justice and Crime Prevention has indicated its intention to implement by October 1, 1976 a new organizational structure for criminal justice planning which would create new planning regions by geographical consolidation of planning districts;

THEREFORE, BE IT RESOLVED that the City Council of the City of Harrisonburg requests the Council of Criminal Justice to maintain criminal justice planning as a function of planning district commissions, and

FURTHER BE IT RESOLVED that the City Council desires the formation of a task force to evaluate the criminal justice planning system, both the functions of planning commissions and of the various state agencies who have planning responsibilities for various parts of the criminal justice system.

Mayor

Attest:

Clerk

During discussion it was noted that the Planning Commission does not agree with the State Crime Commission in that it would cover too much territory; that the State Commission would be in charge of all

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programs, etc. with the City having only a staff under it; and that the Sub-Committee had opposed the re-districting and voted to leave as it is in that it was felt that the Crime Commission would be taking authority out of hands of the various localities. Following a lengthy discussion, Councilman Green moved that the resolution be approved and proper officials authorized to sign the same, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ Assistant City Manager Driver noted that the last speed survey was made in the City of Harrisonburg in 1962 by the Highway Department but that many complaints have been received over the years concerning same in various areas of the City. He asked that the following changes in speed limits recommended by the Virginia Department of Highways be referred to the Harrisonburg Highway Safety Commission for study and recommendation: Port Road, 25 to 35 miles per hour; Maryland Ave. (Main to High) 25-35 MPH; Cantrell Ave. (High to Main) 25-35 MPH; Willow Street (Grace to Market) 25-35 MPH; Rt. 33 (E. Market to east corporate limits, 46-35 MPH into Mason and 25 MPH from Mason to Main); Old Furnace Road 25-35 MPH. Following a brief discussion, Councilman Green moved that the recommendations be referred to the Highway Safety Commission, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ A report of Revenue and Expenditures for 1975-76 as well as the regular financial monthly report for the City of Harrisonburg (end of fiscal year 6/30/76) were presented by City Auditor Shifflet. He complimented the various departments for awareness of their budgets and using good judgment on expenditures. After Council has had time to review the reports, Mr. Shifflet expressed a desire to have discussion on the City's financial status.

✓ City Manager Milam presented a verbal request from Storey Bros. Transprint Plant for permission to connect to the water line on Pleasant Valley Rd. for sprinkler system and domestic water supply. He reminded Council that all connections to this particular line must be approved by City Council, which has been a policy for a number of years, and noted that he could see no complications in approval of this request. Councilman Green moved that the request be granted, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ City Manager Milam reported that the City had received a letter of credit from the Department of Housing & Urban Development for the sum of \$ 525,000. which was applied for by the City to be used on the project of acquiring properties in the vicinity of Kavanaugh Hotel to provide housing for the elderly and low income families. This amount is presently in the Virginia National Bank and can be drawn on as of now with minimum withdrawal of \$ 10,000. and maximum of \$ 525,000., which funds must be spent within three days from withdrawal. He explained that invoices on the project (now in the final planning stage) would be paid with city monies and the City Treasurer will submit his signature and that of the City Auditor to back up the City's credit. In as much as the City had pledged \$ 175,000. in local matching funds if the Grant was approved by HUD, Manager Milam recommended that an appropriation in total amount of \$ 700,000. be approved for a first reading at this time representing amount of Grant and the City's local matching funds which could be charged to the General Fund Unappropriated Surplus Account, and appropriated to a special capital outlay account titled Kavanaugh Hotel Rehabilitation Project. It was pointed out that this amount would not be sufficient to acquire all real estate that needs to be razed for the project in the area from Elizabeth to Wolfe St. and Main to Liberty Sts., but that no firm figures on purchases, etc. have been confirmed to date. Upon completion of the project, deeds will be turned over to the Redevelopment & Housing Authority. Following discussion, Councilman Green moved that the appropriation be approved for a first reading and the City Auditor instructed to establish a Capital Outlay Account titled "Kavanaugh Hotel Rehabilitation Project" for handling of the funds, and that:-

\$ 175,000. chgd.to: General Fund - Unappropriated Surplus Account.

525,000. chgd.to: Community Development Block Grant from the Dept. of Housing & Urban Development.

700,000. approp.to: General Fund (10220-72.00) Kavanaugh Hotel Rehabilitation Project-Buildings. which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Councilmen present.

There being no other matters of business to come before Council, the City Manager requested an executive session to discuss purchase of real estate. Councilman Cline moved that the regular meeting adjourn at 9:45 P.M. and that Council go into an executive session, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

Following a 15 minute executive session, a motion was duly adopted whereby the regular session was reconvened in order to take action on the matter discussed in that session.

Councilman Cline moved that the City purchase a portion of the corner lot at E. Market & Mason Sts. presently occupied by Star Auto Mart for the amount of \$ 4,000. quoted by the owner, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

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

N. Orleans Loker
CLERK

[Signature]
VICE-MAYOR

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Tuesday, August 10, 1976

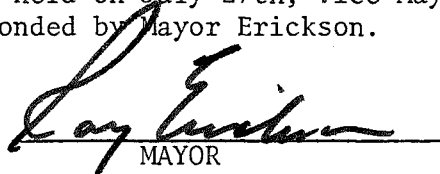
At a regular meeting of Council held this evening at 7:30 PM there were present:- Mayor Roy H. Erickson, City Manager Marvin B. Milam, City Attorney Norvell A. Lapsley, Clerk N. Arlene Loker, Vice-Mayor E. Warren Denton, Jr., City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- Councilmen Paul C. Cline, Raymond C. Dingledine, Jr., and Walter F. Green, III.

The evening's Invocation was led by The Reverend Stanley Wampler, District Executive of the Brethren Denomination.

In as much as roll call revealed a lack of quorum, Mayor Erickson referred to Section 2-15 of the City Charter which reads as follows: "If a quorum fail to attend a meeting within twenty minutes after the appointed time for such meeting, those present may adjourn to such time as they deem proper, after the names of those present shall have been entered on the journal." He noted that although it was known that the three absent members were all out of the state, minutes from the last regular meeting would be read by the Clerk, with same to be approved at the next scheduled regular meeting when a quorum is present.

Following reading of the minutes of the regular meeting held on July 27th, Vice-Mayor Denton moved that the meeting adjourn at 7:56 P.M. and the motion was seconded by Mayor Erickson.


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 Raymond C. Dingledine, Jr., Walter 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 The Reverend Sam Jones, pastor of the Harrisonburg Baptist Church.

Minutes of the regular meeting held on August 10th were read by the Clerk after which time Mayor Erickson asked for any further corrections on the minutes of the July 27th meeting which had been read at the last meeting and held for this evening for approval in that a quorum was not present on August 10th for any business to be transacted. After additional corrections were made, minutes of both meetings were approved.

✓ A letter dated August 18th from Mr. George W. Taliaferro was read in which he, as joint owner of a certain number of lots on the east side of Chicago Avenue, requested that the lots be rezoned from the present R-1 to either R-2 or R-3 in order that smaller and inferior type homes would not have to be constructed in compliance with R-1. Mr. Taliaferro also requested that lots belonging to the H. C. Nutter estate and located in the same area be rezoned to either R-2 or R-3. He noted that permission for the rezoning had been granted by the Nutter attorney. The City Manager explained that the lots totaled approximately 24 with 25-30' frontage for each. They are located between Waterman Drive and Chicago Avenue. Following a brief discussion, Councilman Green moved that the requests 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 Councilmen present.

✓ Council was informed by City Manager Milam that a local disabled veteran had acquired an automobile and made request for issuance of a city tag at no charge. He pointed out that under the Acts of General Assembly, 1972, all disabled veterans are given state tags without a fee for same, but questioned whether or not the City Treasurer would be exempt from charging a city license fee. Following a brief discussion, the matter was referred to the City Attorney for investigation, and letter to the veteran concerning same, on motion of Vice-Mayor Denton, seconded by Councilman Dingledine, and a unanimous vote of Councilmen present.

✓ The following recommendation of the Planning Commission from its meeting on July 21st concerning a rezoning request of David R. Garber was read:-

"...The Director reviewed Mr. David Garber's proposal to build six townhouses on the east side of North Willow Street's 500 block. Rezoning from R-1 Single Family to R-2 will have to be passed in order to pursue the proposal. Neighborhood opposition was voiced by several residents and petitions at the public hearing in June, and if rezoning to R-2 occurs, this project would bring apartments into a neighborhood which is otherwise totally single family in character. Mr. Williams suggested that Mr. Garber plant some greenery behind Red Front Market and build single family homes on the lots facing N. Willow St. Mr. Williams offered a motion that the Planning Commission recommend denial of the rezoning of lots 1 through 18, Block W, Page 39 of the City Block Map as requested by David Garber. Mr. Kuykendall seconded the motion and all members present voted for the motion to deny the R-2 rezoning application..."

The Planning Director presented a map showing the general business zone with vacant lots in the rear of Red Front Market, and pointed out the fact that Mrs. May is also involved in the petition for rezoning in that she is owner of some lots included. He informed Council that Mr. Garber said, by phone, that he will not request a second hearing on the matter. Following discussion, Councilman Green moved that the Planning Commission's recommendation for denial of the rezoning request be approved, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ City Manager Milam read the following recommendation submitted by the Planning Director from a Commission meeting held on July 21st:-

"...A letter from D. Kent Zimmerman, 236 Franklin St. and Lacy S. Daniel, 228 Franklin St., requesting the City to abandon the 10' alley between these addresses was reviewed. The Director reported that no utilities exist in this alley between Franklin and East Bruce Streets. The Commissioners reviewed the neighborhood map and noted that several 10' alleys exist throughout the area from East Water St. to Paul St., and most of these are open and used by residents. It was generally felt that closing one link of alley will lead to other individual closings. Dr. Shank moved that the request by Messrs.

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Zimmerman and Daniel be denied. Mr. Williams seconded the motion and all members present voted aye..."

Planning Director Sullivan pointed out the area on a map, calling attention to locations of the various alleys. He noted that the alleys are more for bicyclists and pedestrians, than for automobiles. Mr. Daniel expressed concern for safety of children and said that closing of the alley as requested would serve a need to improve the properties by installing a single fence. Mayor Erickson made an observation that the many alleys do serve some useful purpose and said that other requests could come in for closing of some very useful sections, as set forth in the Planning Commission's recommendation. Mr. Zimmerman told Council that a garage blocks view of bicycles going onto Bruce Street which is very dangerous and suggested that a look be taken of the whole neighborhood, to prevent piecemeal closings. Vice-Mayor Denton moved that inasmuch as a comprehensive study has not been made of the neighborhood, that the matter be referred back to the Planning Commission for further study and consideration of other alleys in the general area, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present. Manager Milam reminded Council that should the Planning Commission reverse its recommendation, a Board of Viewers would have to be appointed to view the area and make written report as to whether or not there would be any inconvenience in the closings.

Manager Milam read the following recommendation of the Planning Commission from its meeting of July 21st:-

"...A request by Nelson Cline, owner of four 50' lots in the northwest corner of Lee Avenue and Fourth St. to resubdivide into three lots was reviewed by the Commission. The proposed change will establish lots with dimensions of 70' x 115', 80' x 115', and 75' x 150'. Two of the lots will have square footage of 8050 and 9200; one lot will have 10,875 square feet. The lots are in R-1 Single Family District which requires 10,000 square feet per lot and 80' frontage. Mr. Kuykendall suggested recommending a variance to the lot size and frontage requirements due to the fact that four 50' lots are being eliminated and replaced by three suitable lots. Mr. Driver reported that sewer and water lines are in Lee Avenue and the developer will have to pay for any extensions up Fourth Street. Also, the 30' setback regulations must be maintained on Lee Ave. and Fourth St. Mr. Sullivan explained that Mr. Gary Judd, C.L.S., will be required to redraw this proposed resubdivision to include signature spaces for the Chairman and the Mayor.

Mr. Kuykendall offered a motion recommending approval of Mr. Cline's resubdivision request, based on the variance provision (Article 8, Subdivision Ordinance), and subject to submission of a final plat with signature spaces. Dr. Shank seconded the motion, adding that the owner be informed that water and sewer line extensions up Fourth St. will be his expense and a 30' setback line must be met on all lots. All members present voted aye..."

Planning Director Sullivan pointed out the lot locations on a map and explained the Commission's thinking on its recommendation. Following discussion, Councilman Dingledine moved that the recommendation be approved, which motion upon being seconded by Councilman Green was adopted by a unanimous vote of Councilmen present.

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

"...A request by Harry Nesselrodt, 1061 S. Dogwood Drive, to resubdivide three single family lots in Westwood Subdivision was explained by the Director. The three lots have dimensions of 130' x 200', and the request is to establish three 100' x 200' lots and one 90' x 200' lot. The R-1 lot requirements will be maintained and the street (South Dogwood Drive) and utilities are finished. A sketch illustrating this proposal was submitted by Mr. Gary Judd, C.L.S., and Mr. Sullivan pointed out that it will have to be re-drawn to include signature spaces for the Chairman and the Mayor. Mr. Kuykendall offered a motion recommending approval subject to submission of a final plat with signature spaces. Mr. Williams seconded the motion and all members present voted aye..."

Mr. Sullivan pointed out the area on a map and following discussion Councilman Green moved that the Planning Commission recommendation be approved, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

The City Manager read the following recommendation from the Planning Commission meeting on July 21:-

"...As a follow-up of the Parks and Recreation Director's presentation of data and preliminary maps regarding Switzer Dam and the City-owned Skidmore Lake and forested watershed property, which was discussed on June 16th, Mr. Kuykendall moved that the Planning Commission recommend to City Council that the Switzer Dam-Skidmore Lake area 'remain under control of the City and the proposed recreational development is desirable at a future date.' Mr. Williams seconded the motion. All members present voted in favor..."

Council's attention was called to minutes of the Commission meeting on June 16th at which time Mr. Cecil Gilkerson, City Recreation Director, had described possibilities for the area with suggested improvements, and the following two observations:- (1) The 119-acre lake should be regarded as the City's primary source of water; (2) If and when the lake should be developed for recreation purposes, the City's Parks & Recreation Department is willing, equipped and ready to develop it. The City is experienced in obtaining state and federal funds and feels confident this project will qualify for these funds. The City Manager said that the City now posts its 2000 acres in the Rawley area, but added the fact that there is some limited use now, of the streams in the Skidmore area. Council discussed the matter at length which included the fact that special sewer connections are necessary for camping. Vice-Mayor Denton, a representative of Council on the Planning Commission, said it was felt by the Commissioners that a department within the City should be in charge, rather than a state agency or any other. 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.

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In a matter closely related to the recreational uses of the Switzer Dam- Skidmore Area, the City Manager read a letter from Mr. John Kauffman, Fish Biologist Supervisor of the Commission of Game and Inland Fisheries, to Mr. Cecil Gilkerson, City Recreation Director. He advised that trout was available for stocking the lake which appears to have excellent potential for a "put and grow" trout fishery, but that assurance was needed that the public would have some type of access in the spring or summer of 1977 (limited access would be satisfactory), i.e. park below the dam and walk to the lake. Mr. Kauffman said that he had been directed to Assistant City Manager Driver, who had told him that no assurance could be given as the city had made no decision on uses of the lake. City Manager Milam told Council that the matter had been discussed by the city staff and it was felt that the only permission which could be given would be to stock the lake,, but that this must be approved by Council. He reminded members that an agreement had been signed with the Soil Conservation Service in 1971 or 1972 to not allow a lot of recreation in the area without proper facilities. The question now is whether the facilities can be provided and if the City would assume the liability. The City's 2,000 acres in the Rawley is now posted for no hunting, fishing, camping, etc., but the City Manager pointed out that the area is not patrolled. Vice-Mayor Denton suggested that the City Manager talk with Mr. Kauffman, as he hates to see a lake with no fishing allowed. Following further discussion, the City Manager was asked to check with all departments concerned to see what can be worked out, and report back at a future meeting.

Council's attention was called to a letter dated 7/20/76 from the City Planning Director to Mr. William Sipe, Chairman of the Rockingham County Board of Supervisors, advising that on Monday, July 19, the Planning Commissions of the County and the City of Harrisonburg held a joint meeting to discuss an earlier recommendation of the Director that the City of Harrisonburg implement Sec. 15.1-467 of the Code of Virginia, as amended, which allows a city the size of Harrisonburg to exercise subdivision control three miles out from the city limits. Further informing Mr. Sipe that the two Planning Commissions had agreed to establish a joint planning committee which will have two Planning Commissioners from the County and two from the City, plus the Planning Directors of both municipalities. It was mutually agreed that there is no need for the County Planning Commission to schedule a public hearing on the subject of the City's Subdivision Control Ordinance being applied in a 3-mile extension from the city limits. The City Manager then read the following report submitted by Planning Director Sullivan:-

"As a follow-up of the City Planning Commission's June 22, 1976 notice to the County that we (the City) would exercise our Subdivision Ordinance three miles into Rockingham County, the County Planning Commission invited the City Planning Commission to a joint meeting on July 19, 1976.

The outcome of our joint meeting was an agreement made by both Planning Commissions that a 'City-County Joint Planning Committee' would be formed, and this joint committee would review together certain subdivision, zoning and planning matters which arise within territory in and around Harrisonburg. The exact 'Boundaries' of territory will be discussed in detail at a later date.

The City's notice regarding exercise of our Subdivision Ordinance was formally withdrawn as a result of the decision to establish the above-described joint committee.

On July 21, 1976, the City Planning Commission appointed Mr. Billy M. Kuykendall and Dr. Charles L. Shank to serve on the City-County Joint Planning Committee, and I will serve in a non-voting advisory fashion as will the County Planner."

Planning Director Sullivan informed Council that a meeting of the joint committee had not been held as yet, but delayed. The report was received for information.

Manager Milam read the following recommendation submitted by the Planning Director from a Commission Meeting of August 18th:-

"...The Director reviewed the neighborhood map, orienting the location of Gunsmoke Developer's proposed R-4 Planned Unit Development to existing Reherd Acres, a 33-acre R-4 P.U.D. currently being developed as a single family and townhouse neighborhood. Mr. Sullivan reported that since three of the four partners in Gunsmoke are also majority owners of Reherd Acres, the Gunsmoke rezoning can be considered an expansion of the existing R-4 Zone, thus the 25 acre minimum acreage is already established, according to the City Attorney's opinion.

Mr. Kuykendall pointed out that Gunsmoke Developers propose six single family lots adjacent to the existing single family homes on Old Furnace Road, and 'for sale' townhouse clusters near the Reherd Acres townhouse area and along the B-2 General Business properties which face E. Market St. He added that their plan for townhouses near Country Club Road and Spotswood Acres homes appears disjointed and not compatible. Mr. Denton asked about future storm water runoff problems. Mr. Driver reported that an existing 36" storm pipe in Star Crest Drive will have to be enlarged when Reherd Acres is fully developed, but runoff in the Gunsmoke property will drain toward E. Market and Country Club Rd. The Director reported that the developers plan to concentrate on building more single family homes and townhouses within Reherd Acres since they just received approvals in July for Sections 5 & 6, and they also stated during the June 16th public hearing that their 'Gunsmoke Master Plan' will be re-designed as to arrangement of townhouse clusters (if they get the R-4 rezoning).

Dr. Shank and Mr. Gilkeson stated they are against isolating the 14 single family homes along Old Furnace Road's south side if R-4 is created for Gunsmoke Developers. They will appear as a 'strip of R-1 surrounded by higher density zoning categories.'

Mr. Kuykendall concluded the discussion with a motion that the Planning Commission recommend rezoning from R-1 Single Family Residential to R-4 Planned Unit Development, the 16 acre 'north portion' of Gunsmoke Developers' land, and the 'south portion' of 6 acres be denied. Mrs. Bowman seconded the motion. Those voting in favor: Mr. Kuykendall, Mrs. Bowman, Mr. Williams, Mr. Denton. Those voting against the motion: Dr. Shank and Mr. Gilkeson. Abstaining (because he was not present for the hearing), Mr. Driver."

Mr. Sullivan pointed out the area on a map and said it was important for Gunsmoke Developers to dedicate Vine Street all the way to E. Market, although they have a good share of the street. Following a brief discussion, Councilman Green moved that Council accept the recommendation of the Planning Commission for information and schedule a public hearing on the matter for Tuesday, September 28, 7:30 PM in the Council Chamber, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present. The City Manager was instructed to publish notice of the hearing in the Saily News Record newspaper.

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✓ The following Planning Commission recommendation was read by the City Manager as submitted by the Planning Director from a meeting on August 18:-

"...During a public hearing initiated by the Planning Commission, the proposed description concerning Common Walls and Architectural Treatment of townhouses was read as follows:

Section 31-75, item f-3, COMMON WALLS AND ARCHITECTURAL TREATMENT:

3) COMMON WALLS AND ARCHITECTURAL TREATMENT. Common walls enclosing attached townhouse units shall be of noncombustible construction or other approved assembly of materials giving a minimum fire resistance rating of not less than two (2) hours duration.

The exterior facades of townhouse units shall be varied in material and design so that no more than two (2) abutting units will have the same total architectural appearance and front yard setback depth. Varied front yard setback shall not be less than two (2) feet in depth and no setback shall be less than established minimum standards.

Mr. John Byrd, Jr., Building and Zoning Official, explained to the Commissioners that the change concerns type of materials to be used in common walls which will give 'a minimum fire resistance of not less than two hours duration.' If adopted, the City's Zoning Ordinance will follow the Virginia Building Code regulations. He added that current townhouse construction in Harrisonburg is following the State regulations.

No one appeared for or against the proposed amendment. Mr. Williams offered a motion for the Planning Commission to recommend amendment of Section 31-75, item f-3, Common Walls and Architectural Treatment of Townhouses. Mr. Denton seconded the motion and all members present voted aye..."

Following discussion, Councilman Green moved that an ordinance amending Section 31-75, item f-3 of the City's 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 Councilman Dingleline, was adopted by a unanimous recorded vote of Councilmen present.

✓ The City Manager read for Council the following Planning Commission recommendation from its meeting of August 18th:-

"...Mr. Thomas Wilson, attorney for the F & L Land Company, explained to the Commissioners that the County has approved rezoning of F & L Land Company's 34 acre tract, located on the north side of Port Republic Road and bordered by Forest Hills. Under the County's R-5 Planned Residential Ordinance, the developers want to establish 31 single family sites and 64 townhouse units, plus common open spaces and private streets. Mr. Wilson explained that the City agreed to provide water and sewer connections for this property in 1964 when Dr. Bruce submitted plans for 'Homestead Heights Subdivision.'

Mr. Allen Abrahamson, landscape architect, reviewed the preliminary development plan which has been approved by the County according to its R-5 Planned Residential Ordinance. Discussion followed concerning the restrictions and controls regarding 'private streets' to be owned and maintained by a homeowners association. Mr. Wilson stated that detailed engineering drawings and field work, which has not been done yet, will determine how much curbing and gutter work will be necessary to meet erosion controls and safety considerations.

Mr. Williams suggested this development would be an excellent case for joint review by the City-County Joint Planning Committee. Mr. Wilson suggested joint review of the final plans, since the County has already approved the rezoning and the preliminary development plan.

Mr. Williams then offered a motion that the Planning Commission recommend water and sewer connections for F & L Land Company's 34 acre residential development with utility easements for the lines, and with the developer's understanding of the rural rate fee schedule in the City Code, Sections 29-109 and 29-114, and with a request that detailed engineering drawings be reviewed by City officials. Mr. Kuykendall seconded the motion, and all members present voted in favor of the motion..."

The Planning Director presented the Site Plan (sketch of the lots indicating single family lots and townhouse locations) noting two entrances (one by the R.T. Bruce home and another on Port Road across from Devon Lane.) He informed Council that he had been told that engineering work has not been done as yet and pointed out that there are questions concerning curb & gutter as well as the type of road to be constructed. Vice-Mayor Denton, a representative of Council on the Planning Commission, said that the developers prefer swails rather than too much curb & gutter work, to capture the country look and that the roads will be macadam. He questioned what the situation would be 10-15 years from now should the City have to take over these roads and negotiate with the private property owners to assume responsibility for upkeep of same. He noted further that swails are not in accordance to the City's requirements. He offered an opinion that it would be a good idea for the engineer to explain the layout for Council. Following a lengthy discussion, it was agreed that the matter be deferred and no action taken until such time as the overall plan has been explained.

✓ The following Planning Commission recommendation from a meeting on August 18th, was read by the City Manager:-

"...A letter from E. Luther Johnson, 114 Highland Avenue, was discussed with regard to the street sign which reads 'Hyland' Avenue. Mr. Driver reported that the sign was installed several years ago and 'Hyland' Avenue has been the spelling on the City Block Map and other street maps for at least 15 years. Mr. Sullivan reported that two dwellings have

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'Highland' Avenue addresses and four dwellings are on 'Highland Court' which is in Southampton Subdivision. He added that the spelling is 'Highland' Avenue on the original plat of Massanutten Heights Subdivision which was recorded in the late 1940's.

Since the original spelling is 'Highland' Avenue, Dr. Shank offered a motion that the Planning Commission clarify that the official spelling be 'Highland' Avenue until petitioned by residents to spell it otherwise. Mrs. Bowman seconded the motion and all members voted aye...."

Councilman Dingleline moved that the recommendation of the Planning Commission be approved with the understanding that the street signs will be changed back to the original spelling of "Highland" Avenue, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.

✓ Council was reminded by City Manager Milam that Attorney Glenn Hodge had appeared before the regular meeting on June 22nd with a proposal for establishment of a Harrisonburg-Rockingham Legal Aid Society, which matter had been discussed at length. Also, at that time, an appropriation in the amount of \$ 2,500. had been approved for a first reading, representing the City's share of funding for the Society. During the discussion on June 22nd, he (the City Manager) had asked that an agreement with the City be drawn prior to final action with regard to the appropriation. Following this up-dating of information, Manager Milam presented a letter dated July 27, 1976 from Attorney Hodge explaining that in as much as the corporation which will provide the legal services had not been formed, an agreement could not be drawn, but offering an opinion that the Legal Aid Society would agree to provide whatever assurance was felt necessary by the City Manager that city residents would be provided services by the Society. A copy of the proposed budget was enclosed with the correspondence showing a deficiency which will have to be raised through sources other than contributions from the two governing bodies. In lieu of the request for contribution, Rockingham County agreed to furnish an office for the Legal Aid Society for one year in the County Office Building to include installation of a partition and securing other elements of the office furnishings. Manager Milam called members' attention to their copies of the By-laws as well as Articles of Incorporation. Following a brief discussion, Councilman Dingleline moved that the appropriation be approved for second and final reading, and that:-

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

2,500. approp.to: General Fund (6016-19.00) Legal Aid Society- Other Personal Services.

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

✓ Council was reminded by the City Manager that an appropriation in the amount of \$ 700,000. had been approved for a first reading on July 27th for acquisition of properties in the vicinity of the Kavanaugh Hotel to provide housing for the elderly and low income families. \$ 525,000. of that amount represents a Grant from the Department of Housing and Urban Development, and the remaining amount of \$ 175,000. represents City local matching funds for the project. He reported that since that time, the Assistant City Manager had acquired the services of two appraisers from the Roanoke area who are now making appraisals on the Klingstein properties as well as some properties in another block, report of same not having been received to date. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for second and final reading, and that:-

\$ 175,000. chgd.to: General Fund - Unappropriated Surplus Account.

525,000. chgd.to: General Fund - Community Development Block Grant from the Department of Housing and Urban Development.

700,000. approp.to: General Fund (10220-72.00) Kavanaugh Hotel Rehabilitation Project- Bldgs. which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous recorded vote of Councilmen present.

✓ A request was presented from the Director of Social Services for Council approval of a supplemental appropriation in the amount of \$ 5,215.34 from account of Recoveries & Rebates, representing reimbursement for expenses paid on foster care children. Vice-Mayor Denton moved that the appropriation be approved for first reading, and that:-

\$ 5,215.34 chgd.to: VPA Fund (1005-2) Recoveries & Rebates.

5,215.34 approp.to: VPA Fund (05-8022-395.00) Bureau of Public Assistance- F.C.

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

✓ The City Manager presented a request from Police Chief Presgrave for approval of a supplemental appropriation in the amount of \$ 1,985.00 in order to appropriate funds received from DJCP Grant No. 76-A3476. Councilman Green moved that the appropriation be approved for first reading, and that:-

\$ 1,985.00 chgd.to: General Fund (1007.00) Non-Revenue Receipts.

1,985.00 approp.to: General Fund (9010-390.01) Police Community Relations Program.

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

✓ A request was presented from Assistant City Manager Driver for approval of an appropriation in the amount of \$ 7,700. in order that the City might purchase a vacant lot on the southeast corner of Ott Street and Mountain View Drive. The City Manager reminded Council that this matter had been discussed at the June 8th meeting with a motion adopted authorizing the City Attorney and himself to negotiate with the potential purchaser for a right-of-way needed by the City for the widening of Mountain View Drive, and if this could not be negotiated, that the City purchase the lot for the amount of \$ 7,700. quoted by the owner. Following discussion, Vice-Mayor Denton moved that the appropriation of \$ 7,700. be approved for a first reading, and that:-

\$ 7,700. chgd.to: General Fund - Unappropriated Surplus Account.

7,700. approp.to: General Fund (10110-390.00) Street Inspection- Other Operating Expenses.

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

✓ The City Manager presented correspondence dated 8/12/76 from Mrs. Marie Arrington, Director of Social Services, advising that Title XX account will be divided between the Donor Title XX account which was set up under the Special Welfare Fund, and local Revenue Account which will be set up under Purchase

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of Services and designated as a special account covering Chore/Companion/Homemaker which had previously been in the budget. A request was made for Council to approve an appropriation of \$ 3,000. representing additional state appropriation for Title XX services into the special account, as well as a transfer of funds in amount of \$ 1,000. representing local money to match, into the same special account "Purchase of Services" due to change in staffing. Councilman Dingleline moved that the appropriation in amount of \$ 3,000. (anticipated receipts) be approved for first reading, and that:-

\$ 3,000. chgd.to: VPA Fund (604-11) Revenue from Other Agencies- Grants-in-Aid from Commonwealth--Social Services.

3,000. approp.to: VPA Fund (05-8030-405.00) Purchase of Services--(Chore/Companion/Homemaker). which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Councilmen present. Councilman Green then moved that a transfer of funds in amount of \$ 1,000. be approved, and that:-

\$ 1,000. trans.from: VPA Fund (05-8021-11-03) Personal Services--Food Stamps.

1,000. trans. to: VPA Fund (05-8030-405.00) Purchase of Services. which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous recorded vote of Councilmen present.

City Manager Milam presented a request from Mr. Paul Quintrell, Director of Finance for City Schools, for approval of a supplemental appropriation in the amount of \$ 11,721.00 from the School Unappropriated Surplus Account to replace wooden seats in bleachers and concrete stadium with aluminum seats to eliminate maintenance costs. Following a brief discussion, Councilman Green moved that the appropriation be approved for first reading, and that:-

\$ 11,721. chgd.to: School Fund - Unappropriated Surplus Account.

11,721. approp.to: School Fund - (1900-600.02) Capital Outlay- Improvement to Sites. which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous recorded vote of Councilmen present.

Council agreed to defer appointments to various Boards & Commissions until a later meeting.

Due to the fact that a quorum was not present on August 10th regular meeting date, 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, 1976.

From the City Treasurer:-

A trial balance report as of close of business on July 30, 1976.

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 July, 1976.

From the City Auditor:-

A financial report for the City of Harrisonburg, Va. for month of July, 1976.

A report of cash discounts saved during month of July, 1976 totaling \$ 108.76.

From the Department of Utility Billing:-

A report of water, sewer & refuse accounts, meters read, installations, cut delinquents, complaints, re-reads, etc. for month of July, 1976.

Based on a recommendation submitted by the firm of Keeler & Phibbs, Public Accountants, the City Auditor presented the following formal request to Council on suggestion of the firm's representative, Mr. Kenneth W. Huffman, C.P.A.:-

"It is respectfully requested that M. A. Firebaugh, City Treasurer; be authorized to release to R. William Shifflet, City Auditor; taking his receipt for same, the Bond Receivable from the Rockingham Memorial Hospital dated the 23rd day of July, 1959, in the amount of \$ 40,745.60 being held by the City of Harrisonburg, Va.; and that the City Auditor be authorized to charge off the above named Bond from the Financial Records of the City of Harrisonburg, Virginia."

Council agreed that the recommendation of the firm be taken under consideration.

Although the matter of a second reading of an Ordinance approving the Harrisonburg-Rockingham Regional Sewer Authority Operating Contract was on tonight's agenda, Manager Milam reported that the ordinance was not ready at this time for Council action. Following a brief discussion, Council agreed to hold the matter for review of the contract prior to taking any final action with regard to final approval of the ordinance.

Correspondence was presented from the Virginia Municipal League requesting that any meetings which may be in conflict with the 1976 convention scheduled for September 11-14 be changed in order that more officials can be in attendance. Manager Milam pointed out that Council's next regular meeting date is September 14th and suggested that this meeting be changed to Tuesday, September 7th. Councilmen present unanimously agreed with the change of meeting date.

The City Manager reminded Council that Wednesday, September 1, 10:00 A.M. is the date and time for Council's Re-organization meeting in the Council Chamber. Messrs. Erickson and Dingleline will be beginning a new term and Mr. Elon Rhodes will be sitting in for the first time, as a newly elected member of City Council.

Council was advised by the City Manager that according to correspondence from the Virginia Municipal League, the City of Harrisonburg can have one Voting Delegate and one Alternate for this year's Convention. He suggested that Council designate two members at this time in order that the names might be submitted to the League Secretary. On motion of Vice-Mayor Denton, seconded by Councilman Green, Mayor Roy H. Erickson was named Voting Delegate and Councilman Raymond C. Dingleline, Jr., as Alternate Voting Delegate.

City Manager Milam informed Council that although there are no funds in this year's budget for the Downtown Development Committee, they are anxious to have designs drawn for covering of the walkway from Water Street to Court Square which is the primary project of the Committee. He suggested that he be

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authorized by Council to sign a contract with an architectural firm which had been recommended by the Committee, and noted that funds for the approximate cost for drawings of the designs (\$2800. - \$ 3800.) is available. Following discussion, Councilman Green moved that the City Manager be so authorized, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Councilmen present.

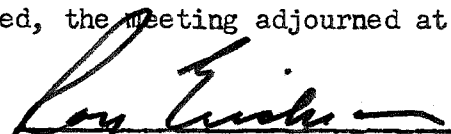
✓ For Council's information, the City Manager reported that the Cantrell Avenue Project (Ott to Paul Sts.) which will complete the linking of S. High and E. Market Streets, has been "moved out of the holding stage" since the city is applying for federal grant. Guidelines for the Grants are not completed as yet but once they are drawn, any projects approved have to begin in 90 days. Assistant City Manager Driver said that due to the tight timetable, the State Highway Department is beginning this week to appraise the final sections of land needed for rights-of-way. Should the grant not be approved, the project will be postponed until after the beginning of the 1977 fiscal year. Estimated cost for the segment of street is \$ 300,000. with a like amount possible for the cost of rights-of-way.

✓ For information, Manager Milam reported that the Highway Department plans to advertise for improvements to S. Main St., in September of this year, with bids to be opened in October.

✓ Council was advised by the City Manager that on September 1st the City will be covered with a new plan for group hospitalization with the same company, Shomo & Lineweaver Insurance Agency. It must be decided whether the City will assume the full portion cost for increase in premiums or pass along a portion of same to city employees covered under the Plan. He noted that for the past two years the city has absorbed the entire cost but that he had told Mr. Bob Drechsler, a representative of the company, that the City could not absorb the cost this year. Following a brief discussion, the City Manager was asked to have further details by the next regular meeting including projected costs, etc. in order that a decision may be made with regard to sharing of cost, or city absorbing same.

There being no further business and on motion duly adopted, the meeting adjourned at 10:06 P.M.


CLERK


MAYOR

Wednesday, September 1, 1976

At a Reorganization Meeting of Council held in the Council Chamber this morning at 10 AM there were present:- City Manager Marvin B. Milam, City Attorney Norvell A. Lapsley, Clerk N. Arlene Loker, Councilmen Roy H. Erickson, E. Warren Denton, Jr., Raymond C. Dingleline, Jr., Walter F. Green, III, Elon W. Rhodes, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave.

✓ City Manager Milam read the following meeting call:

"An emergency existing, there will be a special meeting of the City Council, called by the Mayor, to be held in the Council Chamber on Wednesday, September 1, 1976, at 10:00 A.M. (Reference Section 42 City Charter), to consider the following matters and take necessary action thereon:

1. Oath prescribed by law (Dr. Raymond C. Dingleline, Jr., by Court Clerk)
(Mr. Roy H. Erickson, by Court Clerk)
(Mr. Elon W. Rhodes, by Court Clerk)
2. Reorganization of City Council:
 - a. Election of MAYOR, 2 year term Section 7 City Charter.
 - b. Election of VICE-MAYOR, 2 year term Section 7 City Charter.
 - c. Appoint CITY MANAGER, Sections 37 and 38 City Charter.
 - d. Appoint CITY CLERK, Section 41 City Charter.
 - e. Appoint CITY AUDITOR, Section 51 City Charter and Sec. 2-66 City Code)
 - f. Designate DEPUTY CITY AUDITOR, Section 2-67 City Code.
3. Other matters."

Signed by each member of governing body.

The City Manager presented to the Clerk for recordation in minutes of this meeting, Oaths of Office signed before Donna Funkhouser, Deputy County Clerk, by Roy H. Erickson, Raymond C. Dingleline, Jr. and Elon W. Rhodes, for terms on City Council, of four years, beginning September 1, 1976 and terminating as of August 31, 1980.

The following actions were taken regarding Sections a,b,c,d,e and f under Reorganization:

For Mayor: On motion of Councilman Denton, seconded by Councilman Green, and a unanimous vote of Council, Mr. Roy H. Erickson was reappointed as Mayor for the City of Harrisonburg for a two year term expiring on August 31, 1978. Mayor Erickson expressed pleasure with the members' confidence in him and said he knew the relationship will continue as in the past. He welcomed Mr. Rhodes as a new councilman and said he would find the official duties a "trying and satisfying" experience.

For Vice-Mayor: On motion of Councilman Dingleline, seconded by Councilman Rhodes, and a unanimous vote of Council, Mr. E. Warren Denton, Jr., was reappointed Vice-Mayor for the City of Harrisonburg for a term of two years expiring on August 31, 1978.

For City Manager: Councilman Green moved that Mr. Marvin B. Milam be reappointed City Manager for the City of Harrisonburg to serve at the pleasure of Council, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council. Mayor Erickson, speaking on behalf of Council, said that the City is most fortunate to have had Mr. Milam as City Manager since 1969 and that his stay here has been beneficial to the City.

For City Clerk: On motion of Councilman Rhodes, seconded by Councilman Green, and a unanimous vote of Council, Mrs. N. Arlene Loker was reappointed as City Clerk to serve at the pleasure of Council.

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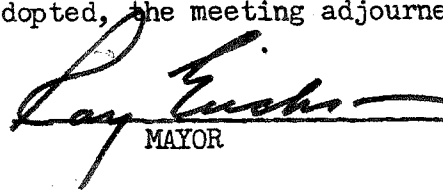
For City Auditor: On motion of Councilman Green seconded by Councilman Dingledine and a unanimous vote of Council, Mr. R. William Shifflet was reappointed as City Auditor, to serve at the pleasure of Council.

Deputy City Auditor: City Auditor Shifflet recommended that Mr. Philip Peterman be designated as Deputy City Auditor. On motion of Councilman Green, seconded by Councilman Dingledine, and a unanimous vote of Council, Mr. Peterman was designated to continue in the role of Deputy City Auditor.

Mayor Erickson expressed appreciation to all of the appointed officials for services rendered the City of Harrisonburg and reminded members of the next regular meeting which is scheduled for Tuesday, September 7, and changed to this date due to the conflict of September 14th with the 1976 Virginia Municipal League Convention.

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


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, Councilmen Raymond C. Dingledine, Jr., Walter F. Green, III, Elon W. Rhodes, 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 The Rev. James Hendershot, pastor of First Assembly of God Church.

Minutes of the regular meeting held on August 24 and Re-organization meeting of September 1 were read, and approved by Council.

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 August, 1976.

From the City Treasurer:

A Trial Balance report as of close of business on August 31, 1976.

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 August, 1976.

From the City Auditor:

A financial report for the City of Harrisonburg, Va. for month of August, 1976.

A report of cash discounts saved during month of August, 1976 totaling \$148.74.

From the Department of Utility Billing:

A report of water, sewer & refuse accounts, meters read, installations, cut delinquents, complaints, re-reads, etc. for month of August, 1976.

✓ The City Manager presented the annual report of the Shenandoah Valley Airport Commission. Mayor Erickson, a member of the Commission, reported for Council's information that the airport is in fine condition and services are adequate as to repairs for general aviation. There are strong feelings among pilots and aircraft owners that there should be more hangar space available for general aviation, and this situation is presently being worked on by the Commission. There are plans being produced now on several grants to be used for taxiway extension and an overlap of 11" on the present runway which will permit landing of jet aircraft, possibly by the year 1980, based on available funds. The funds which are received from the political subdivisions will be used as matching funds. He said there may be some relief in funding by the subdivisions in the future. The audit report will be in the City Manager's Office for review.

✓ Copies of the annual audit report for the Harrisonburg Electric Commission were presented by the City Manager to each member of Council, the City Auditor, and one copy for himself, as required by law. The report was made by the firm of Bosserman, Alt, James & Stickley, public accountants, and will be on file in the City Manager's Office for review.

✓ Council was reminded by the City Manager that last December a Public Transportation Advisory Committee had been appointed for the purpose of studying the City's needs, and Mr. Robert Sullivan, a committee member reported as follows: Shortly after Christmas last year the Committee met and notified several Engineering Transportation Consulting Firms that the City would like their services. About five consultants were interviewed, with the Committee's recommendation being that of Kimley Horn & Associates, to begin a study of the transportation needs. He informed Council that on September 28 (Council's regular meeting date), two representatives of the firm, Messrs. Misner and Martin, will be present to give a presentation. Mr. Sullivan showed two maps (1) calls that came into the two cab companies for a certain month; (2) a division of the City of Harrisonburg into sections (north, south, east, west), designating the northern area as that in which taxi service was most used. For 1976 services peaked in February with over 300 passengers per day, since then the average has declined slightly with only 209 citizens using the service daily in July and August. A survey is being made at this time and it is hoped that the Committee will have some idea what the City can do by the end of this year. A telephone survey was made by the League of Women Voters to determine anticipated public transportation usage. An observation was made by Mr. Sullivan that should a bus line be the way to go, several months will be required for implementation of same. City Manager Milam informed Council that the City & Yellow Cab Companies bring into his office each week, all invoices for that week, and the City pays between \$300-\$400. weekly to the companies

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or on an average of \$ 250. to City Cab and \$ 125. to Yellow Cab, under a recent agreement, representing a portion of each trip on city miles. This information has been passed along to the Consulting Firm.

✓ Mr. Kenneth Brubaker, speaking for "Earthkeepers" (a recycling operation on the campus of Eastern Mennonite College), was present in the meeting to report on the project which would be most useful for the Bicentennial. He presented a proposal for the reclamation of wast newspring in the City of Harrisonburg and asked that the City given the program a trial and that residents be notified to pack all newsprint separate from refuse, which would then be picked up by the city trucks and put on racks under the vehicle. This would then be taken to a baling recycling trailer, or contracted with a special place such as Johns Manville or the Packaging Corporation for purchase of same. There would be no cost to the City, according to Mr. Brubaker, but rather a profit. Assistant City Manager Driver was in agreement that this is a good idea but noted that the City's consultant would have a report in next month on the Heat Recovery System which is being considered, and in which newsprint will be needed to "make it go." He made an observation that there would be more cost to the City for handling of the newsprint than had been stated, in that all gas tanks would have to be relocated on the pick-up trucks; the trucks would have to go to the Landfill with a load of papers even though there may be only 1/2 load of garbage. Mr. Driver said the program does have merit and could be given a try should the City not go into Heat Recovery. City Manager Milam said that the City would have to have drivers to pick up the newsprint which would be a cost to the City, and pointed out the fact that we are presently involved in a comprehensive study to produce energy. Following a lengthy discussion, Mayor Erickson said the project will be kept under consideration, pending a final decision with regard to Heat Recovery.

✓ City Manager Milam presented correspondence dated 9/2/76 from Mr. J. G. Ripley, State Urban Engineer, Dept. of Highways & Transportation, Richmond, Va., informing the Assistant City Manager that a resolution of Council was necessary prior to receiving bids on the South Main Street project. The Assistant Right-of-Way Engineer has attempted to make arrangements for the relocation of certain utilities on the project, in which the City of Harrisonburg has an obligation. The following proposed resolution was enclosed with the correspondence and a request made that it be given Council's early attention in that the Highway Department expects to advertise the project for bids in September, 1976:

At a meeting of the City Council of Harrisonburg, Virginia, held this 7th day of September, 1976, the following resolution was adopted:

WHEREAS, the Highway Department proposes to construct or otherwise improve a section of S. Main Street from 0.020 miles south of the south corporate limits of the City of Harrisonburg to 0.037 miles south of the intersection of Monument Avenue designated as Highway Project 0011-115-101, C-501; and

WHEREAS the City Council is responsible for making arrangements for the adjustment and/or relocation of certain utilities and for the installations of any new facilities:

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Harrisonburg hereby certifies that all arrangements have been made or will be made for the relocation and/or adjustment of said utility facilities, and for the installation of any new facilities. In the event of any justifiable claims from the road contractor for delays or interference caused by said utilities, the City of Harrisonburg hereby agrees to be responsible for said claims, provided it may legally do so and further provided that the City is advised in writing by the Highway Department at the time of delay that the road contractor intends to file a claim.

Said utilities are identified as follows:

<u>Utility Owner</u>	<u>Type of Facility</u>
City of Harrisonburg	Water and Sewer
Harrisonburg Electric Commission	Electrical
Warner T.V. Cable Company	Cable T.V.
Columbia Gas of Virginia, Inc.	Gas
Virginia Electric & Power Co.	Electrical
Continental Telephone Company	Communication

A copy teste:

Clerk

Mayor

Following reading of the proposed resolution, City Manager Milam informed Council that several months ago the City had signed a contract with the Telephone Company for moving of certain lines, and pointed out the fact that some water and sewer lines will have to be lowered and/or relocated. Councilman Dingledine moved that the resolution be approved and the proper officials authorized to sign the same, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

✓ Mr. Bob Drechsler, President of Shomo & Lineweaver Insurance Agency, was present in the meeting on request of Council to discuss an increase in premiums for hospitalization coverage on city employees under the Travelers Health & Accident Insurance. He informed Council that the company paid out approximately 88¢ of every dollar taken in, last year, and will be faced with 100% next year. In as much as the City Budget has been approved and in effect as of July 1st of this year, Mr. Drechsler suggested that the increase could be paid by the employees which would increase a single persons' premium from \$ 3.30 per month to \$ 6.50, and a married person with family from \$ 9.40 to \$ 18.60, which would still be an nominal amount for coverage provided by the company. He explained that the renewal date on the City's policy is each September 1st, with the prior four months allowed for the company to make an evaluation of the year and make any adjustment in premiums by that date. Mayor Erickson offered an opinion that the City would not want to decrease benefits to its employees. City Manager Milam called attention to the fact that the City had absorbed the entire increase in premiums in 1974, 1975, and also last Decemb er, and recommended approval of Mr. Drechsler's suggestion for this increase to be charged to the employees. He noted further that the City has a joint policy with the Harrisonburg Electric Commission and makes a joint decision with them. The present percentage basis is 75% city - 25% employees. Councilman Green suggested that this year a 65%-35% basis be used with the explanation to employees in dollars & cents rather than percentage. Council agreed with the suggestion and the City Manager was instructed to work along these lines.

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✓ Mrs. Mary Bradshaw, Coordinator of the Chapter 10 (Mental Health & Mental Retardation Services) Board, was present in the meeting to present the Board's annual report for 1975-76, noting income of \$ 13,670. and expenditures of \$ 12,773. She reported that the Harrisonburg-Rockingham Halfway House located on Pear Street has been accepted as a Chapter 10 Agency and will begin receiving state funds totaling more than \$ 13,500. beginning January 1, 1977. She noted further that the local Board will be reviewing resources available for the treatment of drug and alcohol problems as part of the state-side merger of the two problems into a substance abuse Division of the Mental Health & Mental Retardation Department. Mrs. Bradshaw thanked Council for its support in fiscal programs which would not otherwise be possible. Mayor Erickson expressed appreciation for the presentation.

✓ The City Manager reminded Council that the matter of charging off city records a Bond of Rockingham Memorial Hospital had been presented at the last regular meeting and was held for consideration. He then read a formal request submitted by City Auditor Shifflet of a recommendation made by the firm of Keeler & Phibbs following an audit of city records, as follows:

"It is respectfully requested that M. A. Firebaugh, City Treasurer, be authorized to release to R. William Shifflet, City Auditor; taking his receipt for same, the Bond Receivable from the Rockingham Memorial Hospital dated the 23rd day of July, 1959, in the amount of \$ 40,745.60 being held by the City of Harrisonburg, Virginia; and that the City Auditor be authorized to charge off the above named Bond from the financial records of the City of Harrisonburg, Va."

Mr. Shifflet pointed out that this has been a recommendation of the Accounting Firm for the past several years, and that the Bond Receivable has been on the city's books since 1948. Councilman Green moved that the recommendation be approved and the designated city officials be authorized to proceed with the transaction, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ City Manager Milam reminded Council that action had been deferred on a recommendation from the Planning Commission at the last regular meeting for City water & sewer connections for the F & L Land Company's development on Port Road near Forest Hills, until the Plan had been explained by the developers engineer. Attorney Tom Wilson was present in the meeting this evening to give background information of the proposed development and the engineer was also present, to explain the Plan. Mr. Wilson said that the property had been platted many years ago by the Bruce family with engineering plans drawn on request of David Brown & Associates, of Staunton, Va. The property was then sold to Messrs. Harry Flipppo and Roy Leach, who also purchased the plans. County authorities suggested to Mr. Flipppo that he proceed under authorized zoning for best utilization of the land. A preliminary plan was then drawn and tentatively approved by City Council for water & sewer connections. Private roads will be constructed under covenant, deed and easement, with the developers responsible for maintenance of same until sufficient sales have been made to form a Home Owners Association, after which time maintenance will be the responsibility of home owners. The engineer explained the Plan for 31 single family residences and townhouses, with more than 1/2 the acreage left in open space, for providing recreational areas. He noted that curb and gutter would be constructed only where it was necessary for water run-off, all off-street parking provided, and the majority of roadways would be narrow and graveled. The City Manager pointed out that the City requires water & sewer users to comply with the City's Subdivision Control Ordinance, and made an observation that this Plan does not. Mr. Wilson said it does comply with the county ordinance and is a private concern, with property owners to be responsible for maintenance, snow removal, etc. Manager Milam then posed the question of what would happen in years to come should the property owners decide that they would no longer assume the responsibility for maintenance of the roadways, etc. and by annexation the City would have to construct sidewalks, curb & gutter and whatever else was necessary to bring the development into compliance with the City's ordinance. Attorney Wilson said he would be glad to work with the City Attorney regarding a covenant for inclusion in the Home Owner's Policy whereby the owners would continue maintenance and not release responsibility to the governing body until the City's specifications had been met. Concern was expressed by members about the narrow streets with regard to emergency equipment which may need to go into the area, as well as the public possibly not having access into the development. Planning Director Sullivan offered an opinion that the Plan should be brought before the City Engineering Department in order that the developers' engineer could work along with the City. He offered an opinion that the City-County Joint Planning Commission should look at the Plan together. Following a lengthy discussion, Councilman Green moved that the recommendation of the Planning Commission be approved as stated: "that the Planning Commission recommend water and sewer connections for F & L Land Company's 34 acre residential development with utility easements for the lines, and with the developers' understanding of the rural rate fee schedule in the City Code, Sections 29-109 and 29-114, and with a request that detailed engineering drawings be reviewed by City Officials," with the proviso that plans be worked out to protect the City, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ Councilman Dingledine moved that a supplemental appropriation in the amount of \$ 5,215.34 requested by the Director of Social Services from the account of Recoveries & Rebates and representing reimbursement for expenses paid on foster care children be approved for second and final reading, a first reading having been approved on August 24, and that:-

\$ 5,215.34 chgd.to: VPA Fund (1005-2 Revenue) Recoveries & Rebates.

5,215.34 approp.to: VPA Fund (05-8022-395.00) Bureau of Public Assistance - F.C.

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

✓ The City Manager reminded Council that on August 24th an appropriation of \$ 3,000. and a transfer of funds in amount of \$ 1,000. was approved as requested by the Director of Social Services in order that both amounts could be placed into a special account "Purchase of Services ." A second reading is necessary at this time on the anticipated revenue of \$ 3,000. Councilman Rhodes moved that the appropriation be approved for second and final reading, and that:-

\$ 3,000. chgd.to: VPA Fund (604-11) Revenue from Other Agencies--Grants-in-Aid from Commonwealth - Social Services.

3,000. approp.to: VPA Fund (05-8030-405.00) Purchase of Services.

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

✓ Councilman Green moved that an appropriation in the amount of \$ 7,700. for purchase of a vacant lot on Ott Street by the City of Harrisonburg be approved for second and final read, a first reading having been approved on August 24, and that:-

\$7,700. chgd.to: General Fund - Unappropriated Surplus Account.

7,700. approp.to: General Fund (10110-390.00) Inspection- Other Operating Expenses.

which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Councilmen present. Manager Milam pointed out that the lot is needed for a right-of-way for widening of Mountain View Drive, after which time a variance will be gotten from the Board of Zoning Appeals for set back lines, and the remainder of the lot, sold.

✓ Councilman Dingledine moved that an appropriation in the amount of \$ 1,985. requested by the Police Chief in order to appropriate funds received from a D.J.C.P. Grant No. 76-A3476, be approved for second and final reading, a first reading having been approved on August 24, and that:-

\$ 1,985. chgd.to: General Fund (1007.00) Non-Revenue Receipts.

1,985. approp.to: General Fund (9010-390.01) Police Community Relations Program.

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

✓ Councilman Rhodes moved that an appropriation in the amount of \$ 11,721. requested by the City School Board Office in order to replace wooden seats in bleachers and concrete stadium with aluminum seats to eliminate maintenance, be approved for second and final reading, a first reading having been approved on August 24, and that:-

\$ 11,721. chgd.to: School Fund - Unappropriated Surplus Account.

11,721. approp.to: School Fund (1900-600.02) Capital Outlay- Improvement to Sites.

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

✓ A request was presented from Assistant City Manager Driver for approval of an appropriation in the amount of \$ 16,950.19 in order to transfer Title II and Title II TQ funds received from the Virginia Employment Commission for month of July, 1976, to proper accounts. City Manager Milam explained that CETA funds previously carried under Title VI had been changed to Title II TQ, thereby eliminating Title VI. Following a brief discussion, Councilman Dingledine moved that the appropriation be approved for a first reading, and that:-

\$ 16,950.19 chgd.to: General Fund (1005.00) Recoveries & Rebates.

1,765.52 approp.to: General Fund (4040-12.50) Purchasing-Wages- Title II,TQ

509.60 approp.to: General Fund (6015-12.50) Police Court- Wages- Deputy Court Clerk- Title II, TQ

348.00 approp.to: General Fund (9010-12.01) Police Dept.-Wages-Traffic Control-Title II

2,556.16 approp.to: General Fund (9010-12.50) Police Dept.-Wages-Policeman-Title II,TQ

2,344.00 approp.to: General Fund (9020-12.50) Fire Dept.-Fireman-Title II, TQ

1,324.80 approp.to: General Fund (10110-12.01) St.Inspection-Laborers- Title II

2,631.72 approp.to: General Fund (10110-12.50) St.Inspection-Wages-Laborers- Title II, TQ

614.15 approp.to: General Fund (11020-12.01) Recreation-Wages-Rec.Supvr.- Title II

513.92 approp.to: General Fund (11020-12.02) Recreation-Wages- Athl.Inst.- Title II

440.00 approp.to: General Fund (11020-12.03) Recreation-Wages- Park Sec.Officer-Title II

180.00 approp.to: General Fund (11020-12.04) Recreation-Wages-Maint.Man- Title II

522.00 approp.to: General Fund (11020-12.05) Recreation-Wages-Rec.Inst.- Title II

751.00 approp.to: General Fund (11020-12.51) Recreation-Wages-Park Maint.Supt.- Title II,TQ

422.40 approp.to: General Fund (11020-12.52) Recreation-Wages-Janitor, Title II, TQ

412.50 approp.to: General Fund (11020-12.53) Recreation-Wages-Clerk Typist- Title II, TQ

528.00 approp.to: General Fund (11020-12.54) Recreation-Wages- Activity Dir.-Title II, TQ

466.40 approp.to: General Fund (11020-12.55) Recreation-Wages-Ground Maint.Man-Title II, TQ

620.02 approp.to: General Fund (11020-12.56) Recreation-Wages-Tree Trimmer- Title II, TQ

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

Council deferred appointments to various Boards & Commissions until the next regular meeting on September 28th.

✓ City Attorney Lapsley informed Council that he had looked into the matter of whether or not there would be a charge for city tags on automobiles owned by disabled veterans, as requested at the last regular meeting, and reported as follows: Sections 46.1-149.1 and 46.1-65 of the state code provides that there will be no charge for state license tags for disabled veterans, and further that a locality cannot charge more for a license than the state. The veteran making request for a city tag at no charge was so advised by letter. The City Manager told Council that the City Treasurer does not want to issue tags at no charge and run these through his records. Chief of Police Presgrave said that special stickers could be provided for not more than one automobile belonging to any one veteran, and that the person must be certified as disabled in order to receive one. Following discussion, Councilman Rhodes moved that Council abide by the state code sections, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ For information, City Manager Milam reported that he had met with Vice-Mayor Denton, Water-Sewer Superintendent Loker, Recreation Director Gilkerson, City Engineer Devier, Dr. Walter Green and Mr. Kauffman, Fish Biologist, following the last regular meeting of Council when the matter of stocking the lake at Switzer Dam with trout was discussed. Assurance has been given that by April 1978, limited access will be made available to the public and Mr. Kauffman was asked to proceed with the stocking. The property will be off limits for hunting, fishing, boating, etc. between now and 1978 in order to allow sufficient time to set up regulations, arrange for patrol of the area, etc. He noted further that when the lake opens for the 1978 trout season, it will be the largest trout lake in this area of the state.

✓ Councilman Dingledine informed Council that he had received a complaint from Mr. Jerry Coulter of 492 S.Mason St. concerning parking of automobiles on his street by students who live in a house on the northeast corner, due to insufficient off-street parking. Another complaint has also been registered

regarding the parking problem by a resident of Ott Street. When questioned about the situation, Police Chief Presgrave said that the new permit parking policy in the residential areas surrounding the college and hospital has gone well so far although there have been reports that students are now parking in the residential areas just outside the boundaries set forth in the new plan. Councilman Dingleline asked about Council giving further consideration to extending the boundaries to relieve the problem. The City Manager reminded Council that it had been agreed that the plan be given a one year trial period to determine how the problem would be relieved, and noted that during this one year period, further information may be presented from which the matter may be further considered and adjusted. No action taken at this time.

✓ Councilman Dingleline informed Council that he had received a complaint from Mrs. Claude Vance, Jr. of 104 Hill St. concerning the matter of thru-trucks on that street. Following a brief discussion, it was agreed that the complaint be referred to the Harrisonburg Highway Safety Commission for a study of truck traffic in that general area.

✓ Based on complaints and following a brief discussion, Councilman Dingleline moved that the City Manager be instructed to investigate the matter of starlings which have invaded the back area of Ott St. with the Health Department, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Councilmen present.

✓ Assistant City Manager Driver informed Council that he had received a request from the management of Valley Lanes, located on Route 11, south, for a connection to the City's water system, in that their well had gone dry. He reminded members that any connections to the Pleasant Valley line must be approval by the governing body. Councilman Dingleline moved that the request be approved, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

There being no further business and on motion duly adopted, the meeting adjourned at 11:22 P.M.

N. Adams Loken
CLERK

Ray Eichen
MAYOR

At a combined public hearing and regular meeting of Council held in the Council Chamber this evening at 7:30 P.M. 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. Dingleline, Jr., Walter F. Green, III, Elon W. Rhodes, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- none.

Minutes of the regular meeting held on September 7th were read, and approved as corrected.

The City Manager presented and read correspondence dated 9/27/76 from Attorney M. Steven Weaver, Counsel for Ralph W. Cline and Frank Cline & Son, Inc., requesting on their behalf the closing of a 10' alley located behind the Citgo Station and on the corner of N. Main and Gay Streets. The alley begins on Gay Street east of Noll Drive and runs in a southerly direction approximately 175' to a deadend in rear of the Sancar Corporation building. Following normal procedure for receipt of a new request concerning land, Councilman Dingleline moved that it 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.

Mayor Erickson closed the regular session 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 on September 9th and 23rd.:-

"The Harrisonburg City Council will hold a Public Hearing on Tuesday, September 28, 1976, at 7:30 P.M. in the City Council Chamber, Municipal Building, 345 S. Main St., to consider the following rezoning request:

Rezone from R-1 Single Family District to R-4 Planned Unit Development, approximately 22 acres of undeveloped land owned by Gunsmoke Developers, Inc., located west of Reherd Acres and Spotswood Acres; this acreage was formerly the Varpelt farm and the Orville Liskey farm; purpose: to construct 105 townhouses and six single family dwellings.

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

Planning Director Sullivan pointed out the area on a map and referred to the following recommendation submitted by the Planning Commission at the August 24th meeting of Council 1 which called for rezoning of the 16 acre "north portion" and denial of the rezoning for the 6 acre "south portion":

"...The Director reviewed the neighborhood map, orienting the location of Gunsmoke Developer's proposed R-4 Planned Unit Development to existing Reherd Acres, a 33 acre R-4 Planned Unit Development currently being developed as a single family and townhouse neighborhood. Mr. Sullivan reported that since three of the four partners in Gunsmoke are also majority owners of Reherd Acres, the Gunsmoke rezoning can be considered an expansion of the existing R-4 Zone, thus the 25 acre minimum acreage is already established, according to the City Attorney's opinion.

Mr. Kuykendall pointed out that Gunsmoke Developers propose six single family lots adjacent to the existing single family homes on Old Furnace Road and 'for sale' townhouse clusters near the Reherd Acres townhouse area and along the B-2 General Business properties which face E. Market Street. He added that their plan for townhouses near Country Club Road and Spotswood Acres homes appears disjointed and not compatible. Mr. Denton asked about future storm water runoff problems. Mr. Driver reported that an existing

36" storm pipe in Star Crest Drive will have to be enlarged when Reherd Acres is fully developed, but runoff in the Gunsmoke property will drain toward East Market St. and Country Club Road. The Director reported that the developers plan to concentrate on building more single family homes and townhouses within Reherd Acres since they just received approvals in July for Sections 5 & 6, and they also stated during the June 16th public hearing that their 'Gunsmoke Master Plan' will be re-designed as to arrangement of townhouse clusters (if they get the R-4 rezoning).

Dr. Shank and Mr. Gilkeson stated they are against isolating the 14 single family homes along Old Furnace Road's south side if R-4 is created for Gunsmoke Developers. They will appear as a 'strip of R-1 surrounded by higher density zoning categories.'

Mr. Kuykendall concluded the discussion with a motion that the Planning Commission recommend rezoning from R-1 Single Family Residential to R-4 Planned Unit Development, the 16 acre 'north portion' of Gunsmoke Developers' Land, and the 'south portion' of 6 acres be denied. Mrs. Bowman seconded the motion. Those voting in favor: Mr. Kuykendall, Mrs. Bowman, Mr. Williams, Mr. Denton. Those voting against the motion: Dr. Shank and Mr. Gilkeson. Abstaining (because he was not present for the hearing): Mr. Driver..."

Mr. Jack Depoy, (one of the Developers), pointed out the fact that a preliminary plan had been presented which was the "best guess" of what should be done in the area, and explained that in order not to detract from the R-1 homes, single family lots had been included adjacent to the existing single family homes on Old Furnace Road. Trees will serve as a screen for the homes and not take away the view of the mountains, as well as serve as a buffer between the R-1 homes and future apartments which will be constructed. Mr. Depoy then presented a revised plan (which had not been before the Planning Commission), for the 6 acre area denied by the Planning Commission in its recommendation, showing Garden Homes instead of townhouses. He described these structures as single family homes built on lots with small side yards and small back lots. They would not have to be street oriented. Mr. Depoy pointed out the fact that the for-sale townhouses in the development will provide homes for people who otherwise could not afford them. He said that he and the other developers are anxious to get the matter settled "once and for all", and feels the residents now living in the area should know that the Plan serves as the best possible buffer. There being no others to be heard favoring the rezoning, Mayor Erickson called on anyone desiring to be heard in opposition of same. There being no one, the public hearing was declared closed at 8:25 P.M.

The regular session reconvened.

The Mayor asked members if they wished to take any action on the rezoning matter of Gunsmoke Developers at this time. Mr. Sullivan, Planning Director, expressed concern that the Planning Commission had recommended denial for rezoning of the 6 acre tract which has now been presented under a new plan. Mayor Erickson said he would like to study the matter further prior to any action. City Manager Milam pointed out the fact that the public hearing notice refers to the original plan and that Council can either approved the Planning Commission recommendation (as read), or consider the entire acreage. He compared the Garden Housing to multiple dwelling, and said that any change in plan must go back to the Planning Commission. Mr. Sullivan stated that there are two other property owners in the middle, and these were included for map purposes. Mrs. Grimm expressed opposition to townhouses around her, while Mr. Taliaferro had no objection in that he is looking to the east/west loop in the future for handling of traffic. In reply to a statement made in Council's public hearing tonight by Mr. Depoy that a church and business are located in an R-1 zone (Country Club Road), Mr. Sullivan explained that this road was formerly old Rt. 33 and the businesses, already established, were absorbed into the R-1 area. He called attention to the fact that open common green space was not mentioned tonight and said the Planning Commission's feelings were that this area could be developed so as to intermingle common space, whereas the plan for the six acres would have more density than the typical R-1 zoning. Mr. Depoy said he does not want to rush the matter but until he and the other developers know where they are going, it would be too much burden to put a 60' street through this development without R-4 zoning in both areas. When questioned about the Planning Commission's public hearing which was held on this matter, Mr. Sullivan said there was opposition from neighbors to the north and to the south. Petitions came in to the Commission from Country Club Rd., N. Blue Ridge Drive and Old Furnace Road. The attorney for the opposition was present at that hearing. Mr. Sullivan offered an opinion that the residents and their attorney were not present tonight since the lower portion had been recommended by the Planning Commission for denial of rezoning to R-4. Attorney Don Burch of Charlottesville, representing Mr. Orville Liskey, expressed concern about what use the six acres could be put to, insofar as fraternity houses, and noted that it could even be sold to a group of these. Mr. Sullivan explained that fraternity houses are allowed only in an R-3 zoned area and would have to go through rezoning if placed in R-4. Councilman Green said he felt the Plan was a good concept, as in other cities. Mr. Depoy asked if Council action could be taken on the upper portion and the lower 6 acres referred back to the Planning Commission. Following discussion it was unanimously agreed that no action be taken at this time until the revised plan can be further studied, and that the matter be carried over to the next regular meeting of Council on October 12.

✓ The City Attorney presented an ordinance (in final form) amending Section 31-75, item f-3 of the City's Zoning Ordinance titled: "Common Walls and Architectural Treatment" which had been discussed at the last regular meeting on August 24th and approved for a first reading. Mr. John Byrd, Building Official, pointed out that the section deals with townhouse architectural design, and that the amendment would make the Zoning Ordinance more compatible with the state regulations, as well as simplify enforcement. Councilman Green 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 Dingledine, was adopted by a unanimous recorded vote of Council. (Refer to Ord. Bk. K, page 103).

✓ The City Manager informed Council that requests had been received through written correspondence from three organizations requesting use of the Sipe House located at 301 S. Main St., presently occupied by the Department of Parks & Recreation, all of which organizations have representatives present at this

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time to present individual requests. Mrs. Mary Bradshaw, Executive Director of the Chapter 10 (Mental Health & Mental Retardations Services) Board, pointed out the fact that this Board's request could be considered along with an upcoming request from the Massanutten Mental Health Center to use the Sipe Building in that the Chapter 10 Board has assumed operation of same, administering it from across town in that the Board is located on S. High Street and the Health Center on E. Market St. She pointed out the fact that it would be so much more efficient if the two were located in the same building. Mrs. Bradshaw then introduced various officers of the Board who were present and Dr. Frederick Stevens, Jr., Director of the Mental Health Center, who gave a brief history of its operation in Harrisonburg. He stressed lack of space at the present location due to increased services as well as staff. Many goals which have been set up will be difficult to achieve because of limited room. Dr. David Hanson, president of the Massanutten Mental Health Center and representative of the Mental Health Association, added that the two agencies were in a position to pay up to \$ 3,000. annually for rental of the building, as well as payment of utilities, and that they would be willing to make rooms available in evening hours (when not in use by the Center) for other organizations who may desire to hold meetings. He pointed out the fact that as of January 1, 1977 a new psychiatrist will be keeping appointments three days per week at the Center, which will definitely make more space mandatory. Mr. Dwight Miller served as spokesman for the Rockingham Historical Society on behalf of a 31-member group supporting creation of an "Historical and Cultural Arts Center." He listed the various organizations comprising the Group and noted that many of them have their own homes, while others need space for collection of mail, placing a filing cabinet, etc. All of the member organizations have one thing in common, an outreach to the community. Mr. Miller noted interest in preservation of the Sipe building and said that its location in the Heart of the City would be a perfect place for the group of organizations to make contact. One primary use of the building would be to house the Rockingham Historical Society's museum which is now in the basement of the Municipal Building. Jody Meyerhoeffer, president of the Society, said that use of the Sipe House would allow expansion of the museum as well as increased hours of operation in which the electric map of Stonewall Jackson's Valley campaign of the Civil War could be shown to visitors in the City as well as many local residents who have not seen it. City Manager Milam asked each of the groups to submit a detailed plan of space needs but added that no decision should be made on use of the building until the Recreation Department has moved to its new location at Westover Park and the building inspected. He asked Council to delay any decision until the appropriate city departments can make an inspection following vacation of the building, in order to determine what it can accommodate, in that after occupancy by other agencies, it comes under various state codes. Mr. Dan Stickley, Sr., a senior citizen and local businessman, said he well remembers the Sipe House as a lad and feels there is no more appropriate use for it than to house the Historical Museum. Following presentation of requests, Mayor Erickson said he would not say how soon a decision would be made, but assured those present that grave consideration will be given the requests by Council.

✓ Larry Meisner, representing the consulting firm of Kimley Horn & Associated, Inc. of Norfolk, Va., selected to make a study of the City's transportation needs, was present in the meeting. He said that an overall look of the City was taken and surveys made to determine local public interest in public transportation, etc. It was determined that there is a definite need in the City, primarily to assure the 250 persons who use cab service daily, of transportation. A number of the avenues were studied which could be taken at the end of this calendar year when the two present companies will no longer operate. Based on its findings, the recommendation (as set out in the firm's report "Immediate Action Strategy for Transportation Service"), and explained by Mr. Meisner, was for the city to purchase the vehicles and equipment from both the City and Yellow Cab Companies and provide taxi service to the City on a continuing basis. This would put the City in direct control of the operation and enable it to take advantage of tax-free gasoline and elimination of other taxes and licenses. He estimated cost of the companies' assets from \$ 10,000-\$20,000. The report further recommended that the City implement a shared-ride (or dial-a-ride) operation with zone fares. Under this, a cab could transport more than one passenger even though they may have different origins and destinations. This would reduce the fare as well as improve use of the vehicle. The cabs should be in operation on a zone fare plan rather than the present metered system, and should offer both premium rates (assurance that an individual would be transported direct to destination) or shared-ride rates. Two phones could be used for the individual to request the rate desired. When the present vehicles need to be replaced, the representative noted that recommendation was made for the City to purchase vans at a total cost of \$ 56,000. fully equipped. Should the City be able to wait 1 1/2 - 2 years for this, it was pointed out that most of the cost would be absorbed through state and federal funds, if the City meets federal requirements. City Manager Milam noted that the cab companies had been advertised for sale last year at a cost of \$ 150,000. and hesitated to try negotiations on the figures quoted by Mr. Meisner. He was reminded by Council that the total cost figure also included sale of the franchise. Councilman Rhodes, Chairman of the Public Transportation Study Committee, said this same recommendation was made by the committee last year, but that they hesitated to see the City get into the taxi business. Members of Council felt, generally, that the City may have no better alternative, although reluctance was expressed by some in "putting the City into a business situation." Following discussion, Councilman Rhodes moved that Council accept the report of Kimley Horn & Associates, Inc. and give the matter further consideration between now and the next regular meeting, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council. Councilman Rhodes suggested that it may be well for the Transportation Committee to appoint another chairman, in that he is now on the governing body. Members of the committee who were present said that re-organization would be in order.

✓ City Manager Milam reminded Council that a recommendation from the Planning Commission had been presented and read at the regular meeting on August 24th concerning the closing of a 10' alley requested by two residents of Franklin St., to deny the request in that it was felt by the Commissioners that closing "one link" of alley in that general area would lead to other individual closings. On motion duly adopted, the matter had been referred back to the Planning Commission for a study of all alleys in that general area. He then read the following recommendation submitted by the Planning Commission from its meeting on September 15, 1976:-

"...Dr. Kent Zimmerman, 236 Franklin St. and Dr. Dan Daniel, 228 Franklin St., were present to explain why they had requested the closing of a 10' alley located between their homes. The Commission voted on July 21, 1976 to deny the request and City Council suggested further consideration be given to the matter. Dr. Zimmerman told the Commissioners that very little use of the alley

occurs, except by bicyclists, and since garages sit on the E. Bruce St. line, exiting from the alley onto Bruce Street is dangerous. Also, a much longer alley exists half-way between Mason and Ott Streets, thus any inconvenience for the total neighborhood is more likely to be found in the longer alley (from East Water St. to Ash Tree Lane, and ultimately to Paul St.)

Mr. Kuykendall explained that the City hesitates to close dedicated alleys because we do not want to come back at a later date and have to buy back right-of-way for currently unforeseen needs such as utility construction or traffic movement. Nor does the City want an avalanche of alley-closing requests, because some alleys do have a neighborhood or community value. Mr. Kuykendall agreed that the trend of converting large houses back to single family occupancy (such as Franklin Street's recent history illustrates) is good for the neighborhood, and he offered a motion that the Planning Commission recommend to City Council that a Board of Viewers be appointed to consider the 10' alley from Franklin to East Bruce Street, located between 228 and 236 Franklin Street. Mr. Williams seconded the motion, and all members present voted in favor of the motion."

Following a brief discussion, Councilman Dingledine moved that Council accept the Planning Commission's recommendation and appoint a Board of Viewers comprised of Messrs. P.H. Hardy, T.H. Lowery and John H. Byrd, Sr., to view the alley in question and report in writing if there would be any inconvenience in closing of same, and if so, what, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ The following recommendation submitted by the Planning Commission from its meeting on September 15, 1976, was read by the City Manager:-

"...The Director presented a resubdivision request by John G. Litten, owner of a 55' x 122' lot at 423 W. Water Street. If divided, Mr. Litten proposed to construct a 'for sale' townhouse duplex, with each lot containing 3,268 square feet. The Zoning Ordinance regulations for townhouses allow a minimum lot area of 1,800 sq. feet. Mr. Sullivan explained that Mr. Litten's lot is too small for a duplex apartment structure, but well over the minimum requirements for separately sold townhouses. He urged Mr. Litten to construct a single family house, since the majority of dwellings in the area are single family homes. The City Staff also expressed opposition to front yard parking if the townhouses are allowed.

Mr. Kuykendall offered a motion to recommend approval of the resubdivision at 423 W. Water Street, provided Mr. Litten locate off-street parking in the rear yards. Mr. Williams seconded the motion and all members present voted in favor of the motion. Mr. Litten assured the Commissioners that he would establish the off-street parking in the rear yards..."

Mr. Sullivan, Planning Director, pointed out the area on a map and referred to a duplex-apartment house which is presently located on West Water Street between Willow Street & South Dogwood Drive, on a lot with a 50' frontage. He pointed out the fact that the resubdivision requested by Mr. Litten will produce a 2-story for sale townhouse structure, and will be in compliance with the City's Zoning Ordinance. Following discussion, Councilman Green moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

✓ The City Manager read the following recommendation submitted by the City Planning Commission from its meeting on September 15th:-

"... A subdivision plan for 2 single family lots in Holiday Hills, Section 10 was reviewed by the Commission. Surveyor Gary Judd's map showed two large lots facing Virginia Avenue, with access off Rockingham Drive-Taliaferro Drive intersection. The Director explained that the lot sizes far exceed R-1 zoning requirements and a 20' City utility easement which includes water and sewer lines is situated between the two proposed lots. He reported that the owners, Skyline Development Co., owe the City certain funds for utilities in Section 6 (Woodleigh Court) and disposal of construction materials have not been properly taken care of on nearby land. The City Staff questions approval of new lots at this time.

Mr. Kuykendall stated that the two-lot Section 10 meets the Subdivision Ordinance requirements and on this basis, he offered a motion that the Planning Commission recommend approval of Section 10, Holiday Hills Subdivision. Mrs. Bowman seconded the motion. All members present voted in favor of the motion..."

The City Manager requested that this matter be tabled until the next regular meeting of Council. On motion of Councilman Green, seconded by Councilman Dingledine, and a unanimous vote of Council, the matter was tabled as requested.

✓ With regard to the invasion of birds in the Ott Street area, the Chief of Police reported that following the last meeting of Council when complaints were registered from residents, city police had armed themselves with shotguns loaded with blanks (noise making shells). After each round of shots, the birds would scatter, regroup and settle again in the trees. The process was carried out several evenings with success of their efforts, unknown. Council was advised that the birds had taken up residence on the east side of S. Main Street between Campbell and Paul Streets.

✓ Councilman Dingledine moved that an appropriation in the amount of \$ 16,950.19 requested by the Assistant City Manager in order to transfer CETA Title II and Title II TQ funds to proper accounts be approved for second and final reading, a first reading having been approved on September 7, and that:-

\$ 16,950.10 chgd. to: General Fund (1005.00) Rebates & Recoveries.

1,765.52 approp. to: General Fund (4040-12.50) Purchasing-Wages-Title II, TQ

509.60 approp. to: General Fund (6015-12.50) Police Court-Wages-Deputy Court

Clerk - Title II, TQ

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\$ 348.00 approp.to: General Fund (9010-12.01) Police Dept.- Wages-Traffic Control - Title II
2,556.16 approp.to: General Fund (9010-12.50) Police Dept.-Wages-Policeman- Title II,TQ
2,344.00 approp.to: General Fund (9020-12.50) Fire Dept.- Wages- Fireman-Title II
1,324.80 approp.to: General Fund (10110-12.01) St.Inspection-Wages-Laborers-Title II
2,631.72 approp.to: General Fund (10110-12.50) St.Inspection-Wages-Laborers-Title II, TQ
614.15 approp.to: General Fund (11020-12.01) Recreation-Wages-Rec.Supvr.-Title II
513.92 approp.to: General Fund (11020-12.02) Recreation- Wages- Ath.Instr.- Title II
440.00 approp.to: General Fund (11020-12.03) Recreation-Wages-Park Sec.Officer- Title II
180.00 approp.to: General Fund (11020-12.04) Recreation-Maint.Man- Title II, TQ
522.00 approp.to: General Fund (11020-12.05) Recreation-Wages-Rec.Instr.-Title II
751.00 approp.to: General Fund (11020-12.51) Recreation-Wages-Park Maint.Supvr.-Title II,TQ
422.40 approp.to: General Fund (11020-12.52) Recreation-Wages-Janitor-Title II, TQ
412.50 approp.to: General Fund (11020-12.53) Recreation-Wages-Clerk Typist-Title II,TQ
528.00 approp.to: General Fund (11020-12.54) Recreation-Wages-Activity Dir.-Title II, TQ
466.40 approp.to: General Fund (11020-12.55) Recreation-Wages-Ground Maint.Man-Title II,TQ
620.02 approp.to: General Fund (11020-12.56) Recreation-Wages-Tree Trimmer-Title II, TQ
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 Recreation Director for approval of a supplemental appropriation in the amount of \$ 300. in order to transfer monies received from Valley Program for Aging Services, Inc. for rental of Price-Rotary Senior Center @ \$100. per month, for July, August and September, 1976. Councilman Rhodes moved that the appropriation be approved, and that:-
\$ 100.00 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.
100.00 chgd.to: General Fund (1005) " " " " "
100.00 chgd.to: General Fund (1005) " " " " "
300.00 approp.to: General Fund (11026-390.00) Westover Park- Other Oper. Expenses.
which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

A request was presented from Mr. Paul Quintrell, Director of Finance, Harrisonburg City Schools, for approval of a supplemental appropriation om the amount of \$ 3,130.63 i n order to appropriate funds received from the Comprehensive Employment & Training Act, Title II, for month of July 1976, into proper accounts. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-
\$ 3,130.63 chgd.to: School Fund (R-28A) Receipts from Fed.Funds-Other Fed.Funds-CETA
686.60 approp.to: School Fund (2-1200-135.50) Adm.- Comp.Adm.Sec.- CETA
562.72 approp.to: School Fund (2-1201-109.50) Other Inst.Costs- Comp.Teacher Aids- CETA
627.78 approp.to: School Fund (2-1201-109.51) Other Inst.Costs- Comp. Clerical- CETA
916.50 approp.to: School Fund (2-1201-134.50) Day Sch.Inst.- Comp.Teachers- CETA
337.03 approp.to: School Fund (2-1205-119.50) Oper.School Plant- Comp. Custodians
which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Council.

City Manager Milam informed Council that he had received a request from Mr. Paul Quintrell, Director of Finance, Harrisonburg City Schools, for a supplemental appropriation in the amount of \$ 15,000. to cover the City's share (20%) of the addition at Massanutten Vocational Technical Center to house the Industrial Sewing Class. Rockingham County's share of cost is 80%. Correspondence from the Director revealed that construction could not begin until the Committee for Control is assured that the City's portion is available. The City Manager recommended that the funds be drawn from the City's General Fund Unappropriated Surplus Account, if approved. Council discussed the \$ 75,000. project, noting that this can be a City-County joint application for a Grant. Councilman Green moved that the appropriation be approved for a first reading, and that:-
\$ 15,000. chgd.to: General Fund - Unappropriated Surplus Account.
15,000. approp.to: School Fund (1900-601.02) Capital Outlay- Alterations to Buildings.
which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

✓ A request was presented from Mr. Paul Quintrell, Director of Finance, Harrisonburg City Schools, for approval of a supplemental appropriation in the amount of \$ 7,000. from available City funds, in order that replacement of wooden bleachers with aluminum seats at Memorial Stadium may be completed. The City Manager reminded Council that an appropriation of \$ 11,721. had been finally approved at the last regular meeting, for the project, with funds drawn from the School's Unappropriated Surplus Account. He recommended that the amount in request at this time be charged to the General Fund Unappropriated Surplus Acnt, if approved. Following sicsussion, Councilman Rhodes moved that the appropriation be approved for a first reading, and that:-
\$ 7,000. chgd.to: General Fund - Unappropriated Surplus Account.
7,000. approp.to: School Fund (19-600.02) Capital Outlay- Improvement to Sites.
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 Parks & Recreation for approval of a supplemental appropriation in the amount of \$ 4,225.18 in order to transfer monies received for participant wages and fringe benefits under the Comprehensive Employment & Training Act of 1973, incurred during June, July and August of 1976. These funds were received under agreement with the Virginia Employment Commission, Title I, Summer Contract. Councilman Dingledine moved that the appropriation be approved for a first reading, and that:-
\$ 1,545.95 chgd.to: General Fund (1005) Non-Rev.Receipts- Recoveries & Rebates.
2,077.89 chgd.to: General Fund (1005) " " " " "
601.34 chgd.to: General Fund (1005) " " " " "
2,629.33 approp.to: General Fund (11029-19.00) Rec.Supvr.-Wages- Title I
1,595.85 approp.to: General Fund (11020-19.01) Ath.Instructor- Title I
which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Council.

City Manager Milam informed Council that the S.P.C.A. (Society for Prevention of Cruelty to Animals) has requested an up-dating of their contract with the City for care of dogs, and noted that funds are needed at this time for operation, with a minimum amount of \$ 7,500. necessary to meet current obligations. He noted that in April 1975 Council had approved an agreement with the organization whereby it would pay the sum of \$ 1.00 per day per dog for stray dogs received from within the geographis limits of the City, to be paid monthly, following submission to the City Manager, by the Society, of a statement showing records of the preceding month. He reported that no statements have been received in his office, and thus, no payments made by the City. In 1974, the City made an allocation of \$ 10,000. toward construction of the animal shelter and \$ 3,000. for operation & maintenance. Manager Milam complimented the Society on its building and services rendered, and invited members of Council to visit the site at their convenience. In as much as a total amount of \$ 4,200 . was appropriated for each of the 1974-75 and 1975-76 fiscal years for the operation which included a \$ 1200. annual salary for the Dog Warden, with only a total amount of \$ 2,910. expended for both years for the salary, gas & oil, he recommended that the difference of \$ 5,490. be turned over to the Society and a new contract drawn. Following a brief discussion, it was agreed that the matter be further considered until the next regular meeting of Council.

Council was advised that application for state and federal funds on the Switzer Dam Site for recreation, if made, should be done prior to November of this year. Mr. Gilkerson, City Recreation Director, informed Council that he has made preliminary application to the Commission on Outdoor Recreation and has met with the C.O.R. in Richmond as well as the Bureau of Outdoor Recreation, both of whom are overwhelmed with the plan. On October 19 when a meeting of the C.O.R. is held, he will make a presentation, if Council endorses the application for funds. Total cost of all recreational facilities is \$ 280,000. on a 50-50 basis with the Commission, with the City's share of \$ 140,250. which, according to the Director, could be spread out over a period of several years. He said that the Highway Department will construct the road into the site, with no cost to the City. Complete control of the area would be under the City and a suggestion was made that fees could be charged into the area, if desired, in order to derive revenue. Mr. Gilkerson stated that "we have the plans which have been presented, and would like to know what direction to take." Councilman Dingledine questioned whether this area should be kept as wilderness or cleared for recreational purposes. The Director replied that the plan is "pretty much on a primitive basis." City Manager Milam said that by the next regular meeting, a more fully presentation can be given. The state wants a contract stipulating that the City will be responsible for its share of cost, since funds may not be in prior to 1977. Vice-Mayor Denton suggested that Council reserve 1/2 hour at its next regular meeting for a discussion regarding the Planning Commission's meetings on June 16 and July 21st regarding the matter and which were discussed at a prior meeting of Council. Councilman Dingledine raised a question as to how much this project would cost the City year after year, and said he would like to give some further thought to the problems which may arise with regard to vandalism, etc. due to its distance from the City, in comparison with other parks located within the City. Following discussion, it was agreed that further consideration be given the matter at the October 12th meeting, with action taken concerning Council's endorsement of the application for funds.

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

There being no further business and on motion duly adopted, the regular session was adjourned at 11:55 P.M. with Council to go into a brief executive session for a discussion of a legal matter with the City Attorney.

Mayor Erickson reconvened the regular session at 12:17 A.M. to announce that the executive session had concerned a legal matter which "might come to be." He said he would like an executive meeting of Council scheduled for next Tuesday night, 7:30 P.M. in the Council Chamber, at which time consideration could be given concerning various Board & Commission appointments, and details of the proposed contract with the Harrisonburg-Rockingham Regional Sewer Authority, studied. Councilman Green moved that the executive meeting be so schedule, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

On motion duly adopted, the meeting adjourned at 12:20 A.M.

N. Perkins Loker
CLERK

Ray Erickson
MAYOR

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Tuesday, October 12, 1976

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 Raymond C.Dingledine,Jr., Walter F.Green,III, Elon W.Rhodes, 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 September 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 September, 1976.

From the City Treasurer:-

A Trial Balance report as of close of business on September 30, 1976.

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, 1976.

From the City Auditor:-

A financial report for the City of Harrisonburg, Va. for month of September, 1976.

A report of cash discounts saved in payment of invoices for month of September, 1976.

From the Department of Utility Billing:-

A report of water, sewer & refuse accounts, meters read, installations, cut delinquents, complaints, re-reads, etc. for month of September, 1976.

✓ Mayor Erickson asked former Councilman Paul Cline, to stand, along with his wife and daughter, while Councilman Dingleline read the following resolution:

WHEREAS, Paul C. Cline diligently and faithfully served as a member of the Harrisonburg City Council from 1972 to 1976, and

WHEREAS, Paul C. Cline devoted countless hours of his time and ability to the careful study and consideration of present problems and future development of the City of Harrisonburg, and

WHEREAS, Paul C. Cline demonstrated a genuine concern for the welfare of the citizens of this community, and

WHEREAS, Paul C. Cline contributed significantly through his integrity and judgment to the meeting of these needs and to the continuance of honest and effective municipal government,

THEREFORE, BE IT RESOLVED, by the City Council of the City of Harrisonburg, in regular session assembled this 12th day of October 1976, that it does appreciate the valuable services rendered the citizens of Harrisonburg by Paul C. Cline, Councilman 1972-76.

Councilman Dingleline moved that the resolution be approved, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council. Mayor Erickson said that the wording of the resolution expresses sentiment of Council and that Dr. Cline was greatly missed. On behalf of the governing body he presented Dr. Cline with a framed copy of the resolution signed by all members, as well as a pewter tray inscribed with the years on Council and four matching pewter cups bearing the initial "C". Dr. Cline expressed appreciation for the resolution and gift, as well as for various associations he had with Council during the four years. He noted that the experience was very pleasant and rewarding, as well as gratifying.

✓ The City Manager presented a petition signed by 24 residents of Newman Avenue which had been received in his office, requesting that steps be taken to relieve the parking situation on that street, preferably restricted parking with permits which has been initiated in an area surrounding the college and hospital. Mrs. Barbara Brenneman of 270 Newman Avenue, serving as spokesman for the petitioners, said that presentation of the petition had been postponed pending an evaluation of the situation following opening of the new parking lot where the old Fraternity House had formerly stood. The situation since that time, according to Mrs. Brenneman, has worsened, with residents unable to park in front of their homes if their automobiles are moved during the daylight hours. She pointed out the fact that the upper parking deck is sparsely used, as well as parking lots at various banks. Mrs. Spangler, an elderly citizen residing on Newman Ave., said that "the City has been very good to her and that it would be very nice to be able to take in groceries without breaking the law!" Mayor Erickson recommended that the matter be taken under consideration and evaluation of the area. Vice-Mayor Denton suggested that it be referred to the City Planning Commission for study. Councilman Dingleline suggested that the banks be notified that their lots are not being used to their fullest capacity. Councilman Rhodes asked the possibility of 2-hour restricted parking on the street while the matter is being considered. Following discussion, Vice-Mayor Denton moved that the matter be referred to the Planning Commission for study and recommendation, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council. The City Manager read a letter which he had received from 80 Maplehurst Ave., commending all city departments who were concerned with residential permit parking, for taking this step, which has greatly relieved the situation.

✓ City Manager Milam presented a request from Attorney Welby Showalter, on behalf of current owners of property situated at 74 and 80 E. Johnson St., for closing of a 10' alley between the said properties, in order that title in and to this particular alley will vest in the adjoining lot owners. He pointed out that proper procedure is referral of the matter to the City Planning Commission for study and recommendation, followed by appointment of a Board of Viewers to view the area in question and report whether or not there would be any inconvenience in closing or vacating of same. On motion of Councilman Rhodes, seconded by Councilman Green, and a unanimous vote of Council, the request was referred to the Planning Commission.

✓ Council was informed by the City Manager that the final plat for Northfield Estates, Part 2, (north side of Washington St.) for resubdivision of 30 townhouse lots, was handed to the Planning Director late this evening, and he then suggested that it be referred to the Planning Commission. On motion of Vice-Mayor Denton, seconded by Councilman Green, and a unanimous vote of Council, the plat was referred to the Planning Commission for study and recommendation. Manager Milam invited members of Council to ride out to the Washington Street project, and noted that moving of only one house is holding up the widening process at the present time.

✓ For information, the City Manager reported that following adoption of a resolution by Council at its September 7th meeting authorizing the City Auditor and City Treasurer to take necessary steps in charging off of City records a bond of Rockingham Memorial Hospital in the amount of \$ 40,745.60 dated 7/23/59, which has been held by the City since that date, is now in proper order. Signing by the proper officials and turning over of the cancelled document will take place in the Council Chamber on Thursday, October 14th, at 5:00 P.M., at which time some history of the hospital will be given by Mr. C. G. Price.

✓ Dr. Barbara Kenney, Director of the Rockingham-Harrisonburg Health Department, was present in the meeting to answer any questions concerning written reports which had been submitted earlier of certain

vital statistics as well as physical examinations in City schools during the 1975-76 school year, given by the Public Health Nurses. She noted that nurses will begin screening teenage students for early signs of a curvature spine, which should be a most important program. Dr. Kenney said that due to many other obligations, she would be consolidating reports into quarterly reports, if there were no objections. Mayor Erickson pointed out the fact that the reports would be in, prior to meetings of Council, and should there be any questions, Dr. Kenney could be contacted.

✓ City Manager Milam gave background information concerning a rezoning request of Gunsmoke Developers, Inc., from the present R-1 Single Family Residential to an R-4 Planned Unit Development on an approximate 22 acres of undeveloped land west of Reherd Acres and Spotswood Acres. He noted that public hearings had been held by both the Planning Commission and City Council and that a recommendation from the Planning Commission had approved rezoning of the 16 acre "north" portion, but denied rezoning of the 6 acre "south" portion. At the last regular meeting on September 28, Mr. Jack DePoy, one of the developers, had presented a revised plan for the area recommended for denial, which plan had not been before the Planning Commission. No action was taken at that time, pending study of the revision. He said that the Planning Commission has not met since that time, but will be meeting next week. Mayor Erickson offered a suggestion that Council might discuss the 16 acres recommended for approval at this time and postpone the 6 acre tract until the next meeting, after the Planning Commission has met. Following discussion, Councilman Green moved that Council approve the 16 acre "north" portion for rezoning from R-1 to R-4 at this time, with the hope that the developers can work out a plan for the other 6 acres with the Planning Commission, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council.

✓ City Manager Milam requested Council's final approval of the "Contract for the Construction and Operation of Sewage Disposal Service, and Payment of the Costs Thereof, Among the Harrisonburg-Rockingham Regional Sewer Authority, The City of Harrisonburg, The County of Rockingham and the Towns of Bridgewater, Dayton and Mt. Crawford." He reminded Council that the contract had been approved for a first reading on July 13th and asked that it be approved finally at this time "in light of a contract" rather than an ordinance. He then reviewed at length the most recent contract which had been delivered, pointing out highlights and various changes therein, namely: the contract will be dated as of August 2, 1976 in that it was not felt necessary to change from that date; the bond resolution was changed from a gross amount of \$4.2 million to \$4.5 million borrowing limit, which will not change amounts to be paid by the City or other participants, but will give the Sewer Authority sufficient money to carry out the project (bond issue will not exceed \$4 million); the City of Harrisonburg and towns of Dayton and Bridgewater will jointly endorse the bonds to be sold by the Authority, with Mt. Crawford to be removed from the resolution in that Rockingham County intends to purchase the town's 80,000 (1%) gallon daily allocation and add this to their total cash payment, which will allow their 2,000,000 gallon share plus that purchased from the town of Mt. Crawford; in view of the County's cash payment, and purchase of the town's share also to be paid by cash, neither of these municipalities will enter into the bond issue which will be issued jointly by the City of Harrisonburg and towns of Dayton and Bridgewater; the Sewer Authority will charge these three municipalities 22¢ per 1,000 gallons of sewage entering the plant, in order to pay off its debt, and all members will be charged 32¢ per 1,000 gallons for operation and maintenance costs (City's estimated annual cost based on 54¢ per 1,000 gallons, \$ 500,000.); any amount taken in by the City over and above the amount of Debt Service will be placed in a Debt Reserve Account; the City and County will divide the local construction cost for Line F from Dayton to the Hillandale Area, as well as Line G serving the Belle-Meade - Holiday Inn area on Route 11, with all customers connecting to these lines belonging to the Sewer Authority and paying fees to the Authority, with any profits therefrom being returned to the County and City on a 50-50 basis; Line H serving Ashby Heights will be constructed with the local share for same to be paid by the County who will receive all new customers connecting to the line, with the City of Harrisonburg retaining present users; all three Interceptor Lines (F,G,H) will be owned by the Sewer Authority who will establish policies and standards for all connections to the sewer system. A brief provision in the contract concerns Line R (between the Sewer Authority and Dayton), with the town of Dayton to pay any balance due on its construction following application of state and federal grant funds, and to receive all customers to be served along that portion. Manager Milam noted further that following a court decision on the City's requested annexation, all existing and future customers on F & G Interceptors will be turned over to the City of Harrisonburg, if annexation is granted. Following a lengthy discussion, Councilman Dingleline moved that the contract be finally approved, with authorization for the Mayor to sign the contract and the Clerk to attest 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. Mayor Erickson expressed relief over this final step in a long venture, noting that it will be good for all participants, as well as a "showplace in Virginia" as far as sewage disposal is concerned.

✓ Mr. Cecil Gilkerson, City Parks & Recreation Director, was present in the meeting to present a preliminary plan for recreational development at Switzer Dam, which plan has been before the City Planning Commission. Although he had requested endorsement of the project by Council at the last regular meeting in order to meet an October 19 deadline for filing of an application for funds, Mr. Gilkerson said that in lieu of a great deal of paper work, etc. he now feels that a good plan for the area is the important thing. The Plan as presented included playfield area & parking; a 3-mile mountain trail and dam trail; picnic area & parking; comfort stations; and for the 119 acre lake there would be fishing, swimming, row boats, sailboats, canoes & paddle boats. He explained that the comfort stations will be served by holding tanks rather than drain fields, and that motor boats will be prohibited due to the lake serving as a municipal water supply. The boat ramps for non-motorized boats will be constructed by the state with no cost to the city. In as much as the Plan was presented for information only, no action was taken at this time.

✓ Council was reminded by the City Manager that a supplemental appropriation in the amount of \$15,000. had been approved for a first reading at the last regular meeting, representing the City's share (20%) for the addition at Massanutten Vocational Technical Center to house the Industrial Sewing Class. He noted that plans have been drawn for some time and bids were taken a number of months ago. In as much as Grants are not available at this time for the project, it has been decided to use student labor, with funds needed for purchase of materials & supplies. He said it was his understanding that the equipment for the addition will be donated by local industry. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for second and final reading, and that:-

DDU550

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

15,000. approp.to: School Fund (1900-601.02) Capital Outlay- Alterations to Buildings.
which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous recorded vote of Council.

✓ Councilman Dingleline moved that a supplemental appropriation in the amount of \$ 7,000. requested by the City School Board Office in order to complete replacement of wooden bleachers with aluminum seats at Memorial Stadium to eliminate maintenance, be approved for second and final reading, a first reading having been approved at the last regular meeting, and that:-

\$ 7,000. chgd.to: General Fund- Unappropriated Surplus Account.

7,000. 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 reminded Council that a previous appropriation of \$ 11,721. had been drawn from the School's Unappropriated Surplus, which was not in sufficient amount to complete the project.

✓ Vice-Mayor Denton moved that a supplemental appropriation in the amount of \$ 3,130.63 requested by the City School Board Office in order to appropriate funds received from the CETA Program, Title II, for month of July, 1976, into proper accounts, be approved for second and final reading, a first reading having been approved at the last regular meeting, and that:-

\$ 3,130.63 chgd.to: School Fund (R-28A) Receipts from Federal Funds- Other Fed.Funds- CETA

686.60 approp.to: School Fund (2-1200-135.50) Adm.- Comp. Adm. Sec. - CETA

562.72 approp.to: School Fund (2-1201-109.50) Other Inst.Costs-Comp.Teacher Aides- CETA

627.78 approp.to: School Fund (2-1201-109.51) Other Inst.Costs-Comp.-Clerical- CETA

916.50 approp.to: School Fund (2-1201-134.50) Day Sch.Instr-Comp.Teachers- CETA

337.03 approp.to: School Fund (2-1205-119.50) Oper.School Plant-Comp.Custodians.

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

✓ Councilman Green moved that a supplemental appropriation in the amount of \$ 4,225.18 requested by the Recreation Director in order to transfer monies received for participant wages & fringe benefits under the CETA Program of 1973, incurred during June, July & August, 1976, be approved for second and final reading, a first reading having been approved at the last regular meeting, and that:-

\$ 1,545.95 chgd.to: General Fund (1005) Non-Rev.Receipts- Recoveries & Rebates.

2,077.89 chgd.to: General Fund (1005) Non-Rev.Receipts- Recoveries & Rebates.

601.34 chgd.to: General Fund (1005) Non-Rev.Receipts- Recoveries & Rebates.

2,629.33 approp.to: General Fund (11020-19.00) Rec.Supvr. (wages) Title I

1,595.85 approp.to: General Fund (11020-19.01) Ath.Instructor- Title I

which motion upon being seconded by Councilman Dingleline, 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 \$ 54,959.94 representing an estimated proposed budget based on 7/12 of a year for the Community Activities Center at Westover Park. He was advised by correspondence dated 8/17/76 from the Director that by all indications it will be around November 15th before the finishing touches will be made. It was explained that in the proposed budget, the salaries of the Center's Director and Assistant Director were decreased, but noted that staffing is a vital part of the building in that it will be open 14 hours Monday through Saturday and 10 hours on Sunday. Mr. Gilkerson said expenses as set forth in the budget were calculated by the Continental Telephone Co., Harrisonburg Electric Commission, City Water Department, and others. He noted further in the correspondence to the City Manager that two employees in the Recreation Department have been kept on the Recreation payroll since termination of the old PEP (Summer Jobs) Program, although no money has been budgeted for same. He requested that they be placed on regular employment in that the City is obligated to employ a certain number of titled employees. Manager Milam informed Council that if desired, this matter could be deferred until the next regular meeting which would allow time for members to go through the Community Activities Center building. He pointed out the fact that if approved, the appropriation would provide for several new positions. Councilman Dingleline expressed concern regarding the estimated 7/12 budget in that the building may not be ready for occupancy until after the first of next year, and then suggested that the appropriation could be approved if pro-rated on the monthly rate proposal. Councilman Green offered a suggestion that it be approved, with the City Manager instructed to work out the manner in which the two programs would be phased in and out. City Auditor Shifflet said that any amount not used up to the seven month period, if project is completed prior to that time, should close out into the City's surplus account. Following a lengthy discussion, Councilman Dingleline moved that the appropriation be approved for a first reading at this time, with the possibility of an amendment prior to a second and final reading, and that:-

\$ 54,959.94 chgd.to: General Fund - Unappropriated Surplus Account.

54,959.94 approp.to: General Fund (11027-Various) Community Activities Center.

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 Parks & Recreation for approval of a supplemental appropriation in the amount of \$ 1,321.26 in order to transfer the salary of the Concession Manager at Westover Swimming Pool, from season profit of Concession Stand, to Westover Swimming Pool Budget. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

\$ 1,321.26 chgd.to: General Fund (1005) Non-Rev.Receipts- Recoveries & Rebates.

1,321.26 approp.to: General Fund (11030-12.00) Westover Swimming Pool- Wages.

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

✓ City Manager Milam presented a statement submitted by Rockingham County for the City's share of cost (25%) on expenses incurred for various operations at the County Court House for 1976-77, some capital outlay items, and other expenses shared by the City under agreement, in the total amount of

\$ 73,130.96. Correspondence from Mr. James Moyers, County Administrator, dated 9/24/76, which accompanied the statement, explained an additional amount of \$ 10,598.28 as an error made in amount of credits shown on the 1974-75 statement, in that it included depreciation and expenses on automobiles used in the Sheriff's Department, and on which the City has no obligation. The City Manager pointed out that the City has an amount of \$ 52,000. budgeted in its 1976-77 budget appropriations for its share of Rockingham County's expenses, plus the amount of \$ 580.10 charged as its share for the District Court (formerly County Court), which totals to the amount of \$ 52,580.10 and leaves a balance due on the total statement (including additional amount for error made on the 1974-75 statement), of \$20,550.86. Council discussed the matter at length, with some questions concerning listed items, primarily that of Lunacy Commission, in that the City holds its own examinations, and also the City's share of cost for rental of the Health Center. Following discussion, Councilman Rhodes moved that the appropriation of \$ 20,550.86 be approved for a first reading from the General Fund Unappropriated Surplus Account, with the understanding that this amount may be amended prior to a second and final reading, and that:-

\$ 20,550.86 chgd.to: General Fund - Unappropriated Surplus Account.

20,550.86 approp.to: General Fund (15050-390.00) Joint Expenses-Rockingham County-

Other Expenses.

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

✓ Council was reminded by the City Manager that the report and recommendations concerning public transportation as presented by a representative of the firm of Kimley & Horn Associates, Inc., at the last regular meeting, had been accepted, but carried over to this meeting with no action taken. He suggested that if advisable with Councilman Rhodes who has served as Chairman of the Public Transportation Study Committee, it should be determined that the Committee has "completed its tour of duty", with Council acting on the recommendations of the Consulting Firm. Should the governing body approve the recommendation discussed on September 28th, Manager Milam said that negotiations should be authorized along the lines of the City purchasing equipment from the City & Yellow Cab Companies, or turn to another alternative. He mentioned the fact that not much time is left between now and the end of this calendar year when the companys cease operations, for negotiations and working out the operation of cabs. Vice-Mayor Denton said the City Manager should be given some sort of guidelines in order that he can get some information and report back to Council, and offered an opinion that "we should look to improving the transportation system in Harrisonburg." After further discussion, Councilman Green moved that the City Manager be authorized to proceed with negotiations with the two cab companies along lines set forth in the report, while looking into all other possibilities he feels are feasible (i.e. modernizing the present system with new cabs or 12-passenger vans, operated either as a City program or leasing of the vehicles to private operations, and report back to Council, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ City Auditor Shifflet presented a report on "Revenues & Expenditures for first quarter of 1976-77 compared to first quarter last year"; also "Realized Revenue from Parking Meters for September, 1976"; and "Revenue Sharing as of September 30, 1976." The reports were discussed and ordered filed.

✓ A complaint was registered from Mrs. Audrey Price of Eastover Drive concerning dumping of refuse in the area, although a "no dumping" sign is erected there. It was agreed that the matter be looked into.

Council deferred making appointments to various Boards & Commissions until a future meeting.

✓ A letter dated 9/9/76 from Attorney Steven Weaver was read concerning a recent appraisal of six lots situated on Norwood St. which have been under consideration for a requested relief of a tax lien which was placed on tax statement of Ms. Helen Allen, one of the lot owners, for the City's cost in clearing of same. The new appraisal was quoted at \$ 1,500. per lot or a total of \$9,000. for the six lots. City Manager Milam reported that the matter had been discussed with those city departments involved, and that the general feeling is that the amount should be paid. Following a brief discussion, the City Manger was asked to write a letter to Attorney Weaver, informing him of this fact.

On suggestion of the Mayor, Vice-Mayor Denton moved that Council hold an executive meeting on Tuesday, October 19, 7:30 P.M. in the Council Chamber for the purpose of discussing various appointments and other matters, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

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

N. Pringle Lopez
CLERK

Ray E. ...
MAYOR

DD0550

Tuesday, October 26, 1976

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 Raymond C. Dingledine, Jr., Walter F. Green, III, Elon W. Rhodes, City Auditor R. William Shifflet, Absent: Chief of Police Richard W. Presgrave (sitting in: Lt. Turner).

Minutes of the regular meeting held on October 12, 1976 were read, and approved.

✓ Mr. Paul Liskey of 130 Ott St. was present in the meeting for the purpose of presenting a request for the 100 block of Ott Street to be rezoned from the present R-2 zoning to R-1 in order to preserve the prime residential character of this area to conform with Preston Heights and the remaining Ott Street zoning. In the request he also represented Mrs. William H. Byrd, 140 Ott St.; Earl H. Wetsel, 296 Newman Ave. and Don E. Krueger, 293 Newman Ave. Mr. Liskey also left with Council a petition signed by 94 residents of Ott St. and surrounding area, stating objection to any commercial use of the 100 block of Ott St. and petitioning Council to correct an error in the zoning map designating this

block as R-3, when the legal zoning is R-2. Councilman Rhodes moved that the rezoning request for the 100 block of Ott St. 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.

✓ Mr. John A. Paul was present in the meeting for the purpose of elaborating further on the matter of a request from the S.P.C.A. for city funds for operation of the animal shelter, which matter was discussed at the September 28th meeting of Council and deferred for further consideration. He gave background information leading up to the present building which is in operation, funding for which both the County and City provided sizable amounts. He offered an opinion that the Society has abided by the contract, although invoices, for some reason, were not received by the City Manager. He requested that Council approve an amount of \$ 5,490. representing balance left in budgeted amounts by the City for the past few years, for funding of the Dog Warden and other expenses. A further request presented by Mr. Paul was for a change in the present contract whereby a lump sum of \$ 7,500. would be budgeted by the City per year, with payments made to the Society on a quarterly basis, in order to eliminate the necessity of invoices being submitted to the City Manager's Office for payment of \$ 1.00 per stray dog per day, received from within the City Limits of Harrisonburg. City Manager Milam informed Council that the only information he had received concerning the matter since last discussed by Council was a statement from Mr. Cassidy, (Dog Warden) that he had transported 222 dogs to the Shelter from September 1975 to September 1976, with no record of the number of days each was detained. Mr. Paul pointed out the fact that this number does not include those dogs which were brought in by owners and others which had to be cared for by the Society, and noted that under the law, a dog must be detained for at least a seven (7) day period. City Manager Milam again explained the manner in which he had arrived at the balance of \$5,490. and which had been recommended by him at the September 28th meeting for payment to the Society. He said that this could be acted upon separately from the requested change in contract and that this portion could be taken under consideration for inclusion in next year's budget. Following discussion, Councilman Green moved that the appropriation be approved for a first reading, and that:-

\$ 5,490. chgd.to: General Fund - Unappropriated Surplus Account.

5,490. approp.to: General Fund (9040-390.00) Dog Warden- Other Operating Expenses-SPCA. which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Council. Mayor Erickson offered an opinion that both the organization and the City have a responsibility under the contract, and that a complete statement of revenues and expenditures should be submitted by the S.P.C.A. for use by Council in further review and consideration of the requested annual appropriation. The City Manager invited members desiring to visit the Shelter to contact Mr. Dick Derienzo who will be glad to take them for a tour of the facilities.

✓ City Manager Milam reminded Council that an appropriation in the amount of \$ 20,550.86 had been presented at the last regular meeting as requested on statement received from Rockingham County for the City's share of joint expenses. At that time the appropriation was approved for a first reading, with questions concerning a charge for lunacy fees and item of rental for the Health Center. He noted that since that time, some minor adjustments had been made on the statement and that through investigation he had learned that in August 1978, the building housing the Health Center was deeded to Rockingham County by Elizabeth and Georgia Nicholas. He recommended that the full amount of \$ 20,550.86 be now approved for second and final reading. Following discussion, Vice-Mayor Denton moved that the appropriation be approved for second and final reading, and that:-

\$ 20,550.86 chgd.to: General Fund - Unappropriated Surplus Account.

20,550.86 approp.to: General Fund (15050-390.00) Joint Expense- Rockingham County - Other Expenses.

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

✓ Councilman Green moved that a supplemental appropriation in the amount of \$ 1,321.26 requested by the Recreation Director in order to transfer salary of the Concession Manager at Westover Swimming Pool from season profit of Concession Stand to Westover Swimming Pool, be approved for second and final reading, a first reading having been approved on October 12, and that:-

\$ 1,321.26 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

1,321.26 approp.to: General Fund (11030-12.00) Westover Swimming Pool- Wages

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

✓ City Manager Milam reminded Council that following a lengthy discussion at the last regular meeting, an appropriation in the amount of \$ 54,959.94 had been approved for a first reading, representing a proposed operating budget (based on 7/12 of one year) for the Community Activities Center at Westover Park, submitted by Mr. Cecil Gilkerson, Recreation Director. He noted that no funds are budgeted at the present time either to operate the building or to provide for requested employees. According to the City Manager, construction is pretty much on schedule and completion anticipated by mid-November. Councilman Green offered an opinion that the projected amount seems high, and proceeded to call attention to various items listed in the proposed budget. He suggested that the Armory Building which is costing the City \$ 23,000. annually for maintenance, may not be needed once the Community Center is in operation, since it was his understanding that the schools would be using those facilities for after-school activities, etc. He suggested that a survey be made on activities currently being carried out at the armory, in the school sysms, etc. Mayor Erickson said no one knows at this point what will be needed in moving from the Sipe Building to the new Center. Mr. Gilkerson informed Council that the Armory Building will be used as much, or more, in that organized leagues were not intended for the new Center, but rather that it be used for leisure and enjoyment. Council questioned use by the Recreation Department of the recently constructed multi-purpose gymnasiums at the Keister and Spotswood Schools, to which Mr. Gilkerson replied that the Schools have added many new programs which makes it extremely difficult for his department to work out time for using the facilities. Councilman Rhodes pointed out the fact that school gymnasiums which were constructed by use of state funds, must be used, in order to receive state funding. Councilman Dingledine, a representative of Council on the Parks & Recreation Commission, made an observation when a question arose, that the listed employees on the proposed budget were necessary due to the hours the new building will be open, which include a Director, Assistant Director, Receptionist and two Custodians. Vice-Mayor Denton offered an opinion that if activities from the schools, armory and recreation department were consolidated into one building, the number of persons on staff could be reduced. During a

lengthy discussion, Mr. Gilkerson was told by Council that he should meet with his staff to determine how and where items listed under operation could be reduced, in that the City cannot afford to pay operating & maintenance costs on three separate buildings. Councilman Dingledine offered a motion that Council approve the salary & wage portion of the proposed budget, only, in amount of \$22,095.01 for second and final reading (the entire appropriation having been approved for first reading at the last regular meeting), with the remainder to be studied and correlated, with any adjustment of funds to be made in phasing in and phasing out of the Recreation program, and that:-

\$ 22,095.01 chgd.to: General Fund - Unappropriated Surplus Account.

COMMUNITY ACTIVITIES CENTER

4,999.19 approp.to: General Fund (11027-11-1) Center Director
 4,525.50 approp.to: General Fund (11027-11-2) Assistant Center Director
 2,912.00 approp.to: General Fund (11027-11-3) Receptionist
 3,543.19 approp.to: General Fund (11027-11-4) Custodian
 3,336.69 approp.to: General Fund (11027-12) Wages- Part-Time- Weekends
 2,778.44 approp.to: General Fund (11027-11-5) Janitor

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 Recreation Director for approval of a supplemental appropriation in the amount of \$ 125,000. needed for completion of the Community Activities Center at Westover Park. He explained for Council, expenditures & appropriations to date on the \$ 1,054,000. project, and noted that the requested amount represents amount due the contractor, Moss Associated, Inc. for fees and miscellaneous to complete the job, and an amount which was overdrawn from total appropriations, to date. Manager Milam reminded Council that about a year ago when bond issued were discussed, he had suggested that an amount of \$ 300,000. - \$ 400,000. be included for the Recreation Center, but that Council had felt that this project should be funded separately from other accounts. As of the first of the year during the bond process, the Recreation Department did not request money in their budget for new buildings. The City was obligated to contract with Moss Associates, Inc. for the total project and the City's portion of cost \$ 150,000. was inserted into the budget from city funds. He made an observation that the total project cost is very good, based on an anticipated \$1 million project. Following discussion, Councilman Green moved that an appropriation in the amount of \$ 125,000. be approved for a first reading, and that:-

\$ 125,000. chgd.to: General Fund - Unappropriated Surplus Account.

125,000. approp.to: General Fund (11020-72.00) Parks & Recreation Dept.- New Buildings

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

✓ The City Manager presented two requests from Mr. John Byrd, Jr., Building Official, namely:-
 (1) one new position in his department, that of an Electrical Inspector, with salary to begin January 1, 1977. It was noted that the arrangement was satisfactory with Mr. Kenneth Frantz, General Manager of the Harrisonburg Electric Commission, and that he is willing to meet the schedule of the new Inspector, as well as his salary for the month of December, 1976, during which time he will assist in setting up a new permit fee schedule which will become consistent with other area rates. The new Inspector will train under H.E.C. for at least 3 months and do extensive traveling in order to assure a smooth change-over. The proposed salary is on a level approved under the City's classification system; reflects the technical level and maturity desired by both the Building Official and HEC General Manager; and is in line with the earning capacity of the best qualified applicants. An amount of \$ 5,481. was requested as salary for a six month period beginning January 1, 1977; (2) request for merit raise for the Housing Inspector (presently employed) based on his capabilities in many other fields other than housing construction, and which raise would place him on the same salary step as the Plumbing Inspector. Amount requested in addition to the present salary for a 6 month period (Jan. 1, 1977-June 30, 1977) was \$489. Total request of the Building Official for the half-year period, \$ 6,220. which includes an amount of \$ 250. for incidentals and operating expenses. Manager Milam said he felt the request for the new position was in line with the State of Virginia trying to consolidate the BOCA Code (previously appvd. by Harrisonburg) under one department, and offered an opinion that addition of the new position would round out the City's program. During discussion, the matter of complaints received from contractors and others concerning delays in construction due to various inspections was brought up by several members of Council. Vice-Mayor Denton suggested that any complaints be handled immediately, rather than there being a delay, and expressed a need for more open communication. He suggested further that better publicity be provided for the public with regard to complaints being received by the Building Official, and further, of the City's Housing Board of Adjustments & Appeals which is active. Manager Milam said that the various inspections made on new and present structures protect the purchaser or resident of a property, and noted that any good inspector will get some criticism. He recommended approval of the Building Official's requests (noting no hurry for action), in that "it is the proper way to proceed." If approved, the two salaries can be built into next year's budget and actually begin on January 1, 1977 by use of the funds requested at this time. Following a lengthy discussion, Vice-Mayor Denton moved that the appropriation totaling \$ 6,220. be approved for a first reading, and that:-

\$ 6,220. chgd.to: General Fund - Unappropriated Surplus Account.

5,481. approp.to: General Fund (10050-11-2) Building Inspection- Electrical Inspector.
 489.00 approp.to: General Fund (10050-11-4) Building Inspection- Housing Inspector.
 100. approp.to: General Fund (10050-211) Building Inspection- Gasoline, Lubricants, Tires.
 150. approp.to: General Fund (10050-390) Building Inspection- Other Operating Expenses.

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

✓ City Manager Milam read the following recommendation submitted by the Planning Director from a Commission meeting held on October 20, 1976:-

"...The Final Plan for Section 1, College Court Subdivision, was reviewed by the Planning Commission. Mr. Ed McClintock, representing the developers, explained that 16 'for sale' townhouse lots are proposed in Section 1, which will be served by Mountain View Drive. He reported that his group has negotiated to purchase 'Parcel A' from the Harrisonburg Electric Commission and 'Parcel B' from H. Grant Preston. These parcels plus permission to cross C-W Railroad

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tracks are necessary to tie Mountain View Drive into Cantrell Avenue. Concerning the staff review report, Mr. Milan asked that the following addition be made: 'Curb and gutter will be required of the developer on Mountain View Drive.' Mr. Kuykendall raised the point that 'any sale or purchase of land by the City' must be reviewed and approved by the Planning Commission and City Council. Has H.E.C. notified Council of their negotiations?

Mr. Milan concluded the discussion with a motion that the Planning Commission recommend approval of the Final Plan, Section 1, College Court Subdivision, subject to H.E.C.'s Parcel A sale being reviewed by Planning Commission and City Council. Mr. Williams seconded the motion and all members voted in favor except Mr. Denton, who abstained..."

The City Manager informed Council that as of this evening, Mr. Kenneth Frantz, General Manager of HEC had informed him that they had met and agreed to convey the parcel to this agency (situated western end of Substation which fronts on Reservoir St.) He pointed out further that the Group (developers) will be responsible for the deed, survey, and administrative costs. He suggested that various utilities (sewer line, gas line etc.) be looked into prior to transfer of the deed, and recommended that Council approve the final plan in order that the developers can proceed with the property. Following discussion, Councilman Rhodes moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Councilman Green, was adopted by a majority vote of Council. Vice-Mayor Denton abstaining.

✓ The following recommendation submitted by the Planning Commission from its meeting on October 20, 1976, was read:-

"...The Director presented a resubdivision plan for Section 2 in Northfield Estates Subdivision. The proposal is to widen 30 townhouse lots so that units 22' wide can be constructed. The recorded plan allows townhouses of 18' width. In order to increase the width of each lot, the 38,224 square feet of common green area will be reduced to 31,654 square feet. The Director reported that Northfield Estates will still be providing more common green area than is required (15% of the development.)

Mr. Sullivan also reported that City Officials want the first group of 10 townhouses in Section 2 to face E. Washington St. The alternative would be immediate planting of sufficient trees and shrubbery along the north side of E. Washington Street.

Mr. Williams concluded the discussion with a motion recommending approval of the resubdivision of Section 2, Northfield Estates Subdivision, lots 21-40, Block B, and lots 21-30, Block C, with the stipulation that the developers face the first group of 10 townhouses toward E. Washington Street. Mr. Milan seconded the motion and all members present voted in favor of the motion..."

Planning Director Sullivan pointed out the area on a map and explained the Commission's thinking in its recommendation. He informed Council that communication concerning the recommendation for facing the first group of townhouses on E. Washington St. had been sent to the developer, with no reply received, to date. Following discussion, Councilman Dingledine moved that the matter be tabled until Council's November 9th meeting in order to allow time for the Developer to receive the communication and respond, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

✓ City Manager Milan read the following report submitted by Planning Director Sullivan concerning the Commission's position on Gunsmoke Developers R-4 zoning application:-

"...The Director oriented the Commissioners to the overall neighborhood map showing Reherd Acres and the 22-acre R-4 Planned Unit Development proposed by Gunsmoke Developers. Mr. Sullivan then showed an 'alternate preliminary Gunsmoke Subdivision', dated July 30, 1976 but had not been introduced for Planning Commission review prior to its rezoning hearing in June, 1976. On October 12, 1976 City Council referred this newest drawing to the Commission for study and review.

Gunsmoke partner Jack Depoy discussed the 'garden homes' proposal as a concept for providing small homes on small lots which would be ideal for senior citizens. He said the 6-acre tract is 'a problem piece of land' but a homeowners' association could be formed to take care of the private roads, parking areas and remaining open spaces.

Building and Zoning Official John Byrd asked for information regarding density, lot sizes, new setbacks, etc. Mrs. Roy Grim, adjacent property owner, said she wants the area to remain R-1. Mr. Sullivan pointed out that the new drawing has no measurements or topographic information. At this point, Mr. DePoy said 'he could care less about the whole thing.'

Mr. Milan explained that the 6-acre southern portion of Gunsmoke Developers R-4 proposal was tabled by City Council until the Planning Commission could review this new drawing. Mr. Kuykendall suggested the Commission study the concept of 'garden homes,' but take no further action on its August 18th recommendation to deny the R-4 rezoning for the 6-acre southern portion of Gunsmoke Developers property.

Dr. Shank moved that the subject be tabled until the November 17th meeting. Mrs. Bowman seconded the motion and all members present voted in favor of tabling the subject..."

Manager Milan informed Council that since the Commission's October 20th meeting, he had received a letter from the developers asking that no action be taken at this time to rezone the 6 acres from R-1 to R-4, but rather that it be referred back to the Planning Commission in order that the new concept on Garden Homes could be fully explored, and following its conformity with the City's Zoning Ordinance, acted upon accordingly. He listed three alternatives of Council on the matter: approve Planning Commission's recommendation for denial of rezoning; approve the 6 acre tract for R-4 zoning; or refer back to Planning Commission for further study. Following discussion, Councilman Green moved that the report of

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the Commission be accepted and the matter referred back to the Planning Commission, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

✓ Council was informed by the City Manager that no changes have been made to date in plans for re-subdivision of two single lots in Holiday Hills Subdivision, Section 2, and noted that the developer should agree to public improvements prior to approval of the plan. The matter was tabled at the last regular meeting, pending this assurance. The report was for information.

✓ On request of Mr. Thomas Williamson, Housing Manager, by correspondence dated 10/21/76 the City Manager read the following resolution adopted by the Board of Commissioners on October 20th:-

"Whereas, the Board of Commissioners recommends that Dr. Hollen G. Helbert, Chairman, Mr. Walter F. Green, Jr., Vice-Chairman, and Mr. Conard Washington be reappointed by the City Council of the City of Harrisonburg, Virginia for a four year term to the Board of Commissioners of the Harrisonburg Redevelopment and Housing Authority, as their terms expire on November 29, 1976.

Council deferred action on this and various other appointments to Boards and Commissions until a future meeting.

✓ For information, correspondence dated 10/21/76 from Mrs. Judith Cordner was read, in which she informed the City Manager that she would no longer be able to serve on the Harrisonburg Transportation Advisory Board in that she will be moving from the City this December.

✓ During discussion of various upcoming appointments to Boards and Commissions it was noted that a vacancy exists on the City School Board due to the unexpired term of the late Dr. James Ramser. Councilman Green moved that Mr. William A. Julias of 1245 Hillcrest Drive be appointed to fill the unexpired term to its expiration on June 30, 1978. The motion was seconded by Councilman Rhodes and adopted by a unanimous vote of Council.

✓ For information, Assistant City Manager Driver reported that the low bid on the South Main Street project has been rejected and they will be re-advertised next month. This will possibly delay the project until next spring. The City Manager pointed out that there are some problems with property owners regarding rights-of-way. He said that the City wants to proceed with relocation of various utilities and asked that any questions or suggestions concerning this, be directed to him.

✓ The City Manager presented correspondence dated 10/21/76 from City Treasurer M. A. Firebaugh, requesting direction of Council in advertising as unpaid, delinquent real estate for the years 1973, 1974 and 1975, as required under Chapter 9, Section 16 of the City Code as amended December 11, 1973. Councilman Dingleline moved that the City Treasurer be so authorized, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ City Manager Milam reported that he had contacted stockholders of the two taxicab companies following the last regular meeting of Council in order to obtain a purchase price for the assets, and had received correspondence from Attorney James Sipe quoting an amount of \$ 45,000. He said that the purchase price seemed high to him at first until taking into consideration other factors. This is an ongoing business with 18 employees who put in many hours and would have to seek employment elsewhere if not retained in their jobs. They live in and around the City and seem qualified in their duties. The companies have been losing money over the past several years even though the City began subsidizing them late last year by paying 15¢ per mile on all city miles which amounted to over \$ 500. per week. He called attention to the fact that there are 13 different agencies using 29 vehicles and furnishing transportation at practically no fee to the individual, which has worked against the cab companies. Approximately 1,000 persons are transported each week by these agencies. A fair price for the physical assets which included the taxicabs, radios, some office equipment, a 90 day lease to Rocco and other incidentals, would be, according to the City Manager, approximately \$ 25,000. He reported on the financial status of the two companies by stating that after payment of all outstanding bills and short term notes, an amount of only \$ 4,000. would be realized from sale of the assets at the \$ 45,000. asking price. This amount would be divided among the six stock holders toward cancelling stocks which are held, resulting in a loss. At this point in the discussion, it was agreed that the other agenda matters be dealt with, prior to further discussion.

✓ The following Board of Viewers' report was read by the City Manager:-

"After a visit to the site of a 10' alley between the residences of Dr. Kent Zimmerman, 236 Franklin St. and Dr. Dan Daniel, 228 Franklin St., it is the unanimous opinion of the viewers that the section of this alley, between Franklin and Bruce Street be closed."

signed: T. H. Lowery, John H. Byrd, Sr., P. H. Hardy

Following a brief discussion, Councilman Dingleline moved that Council accept the Viewers' report and instruct the City Attorney to prepare an ordinance, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ Council was informed by the City Manager of a memorandum received from the School Board advising the City Auditor of action taken by the Board in authorizing an increase of mileage allowance for use of personnel vehicles in conducting school related business, from 12¢ per mile to 15¢ per mile, to conform with current mileage allowance by the state. He recommended that the City establish the same mileage allowance for its employees who use their private vehicles on City related matters, in order to bring the policy in line with the School Board and state. Vice-Mayor Denton moved that the mileage allowance be increased from 12¢ to 15¢ per mile, as recommended by the City Manager, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

There being no further business and at 10:30 P.M., Vice-Mayor Denton moved that Council go into an executive session to discuss a sales contract, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

Mayor Erickson reconvened the regular session at 11:25 P.M.

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Councilman Green moved that the City Manager be authorized to further negotiate with the cab companies for purchase of the physical assets in order to assure transportation for this community, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

The meeting was adjourned at 11:27 P.M. on motion adopted.

H. Arlene Loker
CLERK

Lay Fisher
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 Raymond C. Dingledine, Jr., Walter F. Green, III, Elon W. Rhodes, 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 Church of the Nazarene.

Minutes of the regular meeting held on October 26th 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, 1976.

From the City Treasurer:-

A Trial Balance report as of close of business on October 29, 1976.

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, 1976.

From the City Auditor:

A financial report for the City of Harrisonburg for month of October, 1976.

A report of cash discounts saved in payment of invoices for month of October, 1976, totaling \$ 93.38.

From the Department of Utility Billing:

A report of water, sewer & refuse accounts, meters read, installations, cut delinquents, complaints, re-reads, etc. for month of October, 1976.

✓ A zoning application from the law firm of Wharton, Aldhizer & Weaver, attorneys for Ms. Charlotte Heslep, and the law firm of Conrad, Litten, Sipe & Miller, was presented by the City Manager, requesting that six lots on the east side of Ott Street (bounded by Woodbine Cemetery on the north & east, Bruce Street on the south and Ott Street on the west), retain the R-3 zoning which was effected in 1966 and shown on the City map since 1969. The latter law firm, contract purchaser of lots 4, 5 & 6 owned by Ms. Heslep, desire to use the property for law offices. A question was raised as to whether or not the present zoning of R-3 was accomplished according to the required statutory procedure. Names and addresses of 13 property owners were listed as being affected by the change. The City Manager reminded Council that a zoning request in opposition to this had been presented at the last regular meeting and referred to the City Planning Commission. He recommended that this be also referred to the Commission. Councilman Rhodes moved that the recommendation be approved and the matter so referred, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

✓ A request from Dr. Charles Shank, Chairman of the Medical Arts Building Parking Committee, was presented by the City Manager, for rezoning of the area bounded by the C-W Railroad on the west; South Main Street on the east; Harrison Street on the north; and Maryland Avenue on the south, from the present R-2 to R-3. Approval of the rezoning would permit Medical Arts to use land which is already owned by them, to provide additional parking. 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 Green, was adopted by a unanimous vote of Council.

✓ Manager Milam read the following resolution approving an application for federal assistance on the Cantrell Avenue project, for Council's consideration and approval. He noted that the plans have been submitted and that the deadline for an application for funds is tomorrow:-

WHEREAS, The Public Works Employment Act of 1976 entitles eligible applicants to submit applications for financial assistance under Section 107 of Title I of said Act; and

WHEREAS, The City of Harrisonburg is a "Unit of General Local Government" as included within the definition of that term by Section 104 of the Intergovernmental Cooperation Act of 1968; and

WHEREAS, The City Council of the City of Harrisonburg, Virginia, desires to submit an application for financial assistance to the Economic Development Administration for the widening and construction of Cantrell Ave. from South Mason to Paul Streets.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harrisonburg, Virginia:

- 1. That the City Council possess legal authority to finance and construct the proposed facility.*
- 2. That, an application on behalf of the City of Harrisonburg in the amount of \$ 295,575.57 is hereby approved and that the City Manager is hereby authorized and directed to execute and file an application with the Economic Development Administration including all understandings and assurances contained herein, to provide*

such additional information and to furnish such documents as may be required in behalf of the Economic Development Administration and to act as the authorized correspondent of the City of Harrisonburg.
ADOPTED and APPROVED this 9th day of November, 1976.

Attest:

Mayor

Clerk

Following a brief discussion, Councilman Dingledine moved that the resolution be approved with authorization for the proper officials to sign the same on behalf of the City of Harrisonburg, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

✓ Mrs. Barbara Olive, Executive Director of Valley Program for Aging Services, Inc., was present in the meeting for the purpose of presenting a proposed agreement between the City of Harrisonburg and the aforementioned non-profit organization, in order to ensure continuation of their funding to the City for the Price Rotary Senior Citizens Center. The agreement would delegate to the City of Harrisonburg direct control and authority, as well as responsibility and accountability of the program. It would also require direct funding from her agency to the City for operation and fiscal management of the program. An annual appropriation of \$ 5,200. was included in the agreement, from the City, which is an increase over the present \$ 4,000., in order to offset high utility costs. Mrs. Olive presented members of Council with copies of a Cost Analysis compiled by the Agency showing dollars which go direct to the Price Rotary Center, along with funding for other Centers in the Planning District. City Manager Milam noted that an amount of \$ 4,000. which is set up under non-departmental, has been paid direct to VPAS, and that the requested change reflected in the Center's proposed budget is for VPAS to allocate \$20,610. to the City of Harrisonburg, and the City to increase its appropriation by \$ 1,200. The Director pointed out the fact that monies allocated by the City of Harrisonburg would still have to come into Valley Program for Aging Services, Inc. for verification in order to receive federal funding. Councilman Dingledine said it was his understanding from the beginning that the VPAS would provide services for the aging and be placed under the City's Recreation Department. City Auditor Shifflet expressed concern over the manner in which the account could be handled in that the fiscal year of the City and the Center are entirely different by a period of three months. He suggested that the account could be handled through a Revolving Fund, but said he would prefer that it be set up as a separate category under the Recreation Department, with any money for the three month period placed in Reserve for Encumbrance. The Recreation Director has expressed a desire that this account not be set up in the regular Recreation appropriations. Vice-Mayor Denton questioned an amount shown on the proposed budget for salary of a bus driver in view of the City's transit system, to which the City Manager replied that this would not be done for six months or so, after which time it was hoped that all department vehicles could be directed as to use. Following a lengthy discussion, Councilman Dingledine moved that the Agreement be approved with authorization for the City Manager to sign 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.

✓ The City Manager presented and read an ordinance amending Chapter 5, Section 5-1 of the City Code, adopting the Virginia Uniform Statewide Building Code as currently amended and all additional amendments in the future. The ordinance was requested by Mr. John Byrd, Building Official, in order that the City Code would be in compliance with the state code. The City's present Section 5-1 was, according to Mr. Byrd, outdated and not workable. Following a brief discussion, Councilman Rhodes 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.

✓ An ordinance amending Section 10-1 of the City Code, updating the City's Fire Prevention Code based on provisions of American Insurance Association Fire Prevention Code 1976 Edition, was read by the City Manager. An inclusion in the City's ordinance reads as follows: "It shall be unlawful for any person to fail to comply with the Rules and Regulations hereby adopted and the Department of Building Inspection shall be the enforcing Agency for this section and any reference to any other official of the City as having authority to enter any premises, or to enforce this section is hereby specifically deleted." Manager Milam explained that this amendment would bring the City's Code into compliance with the state code, and also make the Code more workable. Vice-Mayor Denton 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 Council.

✓ Based on a study of speed limits within the City of Harrisonburg by the Harrisonburg Highway Safety Commission, the following nine recommendations were submitted from a meeting of the said Commission on October 26, 1976:

1. Route 42 (South High Street) from city limits to South Avenue. No change be made in the speed limit.
2. Port Republic Road, Interstate Rt. 81 to South Main Street- speed limit coming into city is 45 M.P.H. Speed limit be made 35 M.P.H. at city limits and run to Crawford Avenue, then 25 M.P.H. which is the present speed limit, to South Main Street.
3. Maryland Avenue, South Main Street to South High Street. No change be made in speed limit.
4. Cantrell Avenue, High Street to South Main Street. Speed Limit be 35 M.P.H. South Main Street, speed limit remain as present, 25 M.P.H.
5. Willow Street, Grace Street to Market Street. Change present 25 M.P.H. to 30 M.P.H.
6. Route 33 (East Market Street) Mason Street to city limits make 35 M.P.H.
7. Reservoir Street, Carlton Street to city limits east, retain present 35 M.P.H.
8. Old Furnace Road from Wolfe Street to city limits. Change speed limit from 25 M.P.H. to 30 M.P.H.
9. South Liberty Street, Bruce Street to Grattan Street,- recommend no change.

Assistant City Manager Driver, a member of the Commission, informed Council that this matter had been referred to them for study, after which time two meetings were held. Each member of the Commission rode through the areas and brought back opinions concerning proper speed limits, after which the nine recom-

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mendations were compiled as based upon the wishes of the majority members. When questioned about the unusual speed limit of 30 M.P.H. on Willow Street, Mr. Driver explained that the Highway Department had recommended 35 miles per hour which was felt too high by the Commission. Since the present 25 mile limit seemed too low, the Commission had agreed to recommend the in-between figure. Following discussion, Councilman Rhodes moved that the recommendations of the Harrisonburg Highway Safety Commission be approved, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council. The Assistant City Manager was asked to see that proper signs were installed, after which time the new speed limits would be effected.

✓ For Council information, Assistant City Manager Driver reported that at a meeting of the Harrisonburg Highway Safety Commission held on October 26th, a letter had been presented by the Chairman from Dr. Beverly Silver, a member of the Madison College Faculty, requesting that traffic signals be installed at five different intersections within the city. Based on the fact that most of the requests for signals were on streets involved in future construction, a motion had been adopted by Commission members recommending that no signals be installed until reconstruction of South Main Street from the southern corporate limits to Grattan Street has been completed.

✓ Councilman Dingledine moved that a supplemental appropriation in the amount of \$ 125,000. requested by the Director of Parks & Recreation for completion of the Community Activities Center at Westover Park be approved for second and final reading, a first reading having been approved on October 26th, and that:

\$ 125,000. chgd.to: General Fund - Unappropriated Surplus Account.

125,000. approp.to: General Fund (11020-72.00) Parks & Recreation Dept.-

New Buildings.

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

✓ Councilman Rhodes moved that a supplemental appropriation in the amount of \$ 6,220. which was approved for a first reading at the last regular meeting for the purpose of paying salary for a new position (Electrical Inspector) and difference between regular salary and a merit raise for the Housing Inspector, from January 1, 1977 thru June 30, 1977, plus an amount included for incidentals and operating expenses, be approved for second and final reading, and that:-

\$ 6,220. chgd.to: General Fund - Unappropriated Surplus Account.

5,481. approp.to: General Fund (10050-11-2) Building Inspection- Elec. Inspector.

489. approp.to: General Fund (11050-11-4) " " - Housing Inspector.

100. approp.to: General Fund (11050-211) " " Gasoline, Lubric., Tires.

150. approp.to: General Fund (11050-390) " " Other Operating Expenses.

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

✓ It was unanimously agreed that the matter of a second and final reading on an appropriation in the amount of \$ 5,490. for the S.P.C.A. be deferred, pending further information concerning the number of dogs taken into, and received by the organization, from within the City limits of Harrisonburg, number of days retained at the shelter, etc.

✓ A request was presented from the Director of Social Services for approval of a supplemental appropriation in the amount of \$ 1,747.50 from Recoveries & Rebates, in order to cover salary costs for a Title II (CETA) employee with federal funds for months of July, August and September, 1976. Vice-Mayor Denton moved that the appropriation be approved for first reading, and that:-

\$ 1,747.50 chgd.to: VPA Fund (1005-2) Recoveries & Rebates.

1,747.50 approp.to: VPA Fund (05-8021-12.50) Bureau of Personal Services-- Elig.-Worker

(Title II - CETA)- July, August, Sept., 1976.

which motion upon being seconded by Councilman Rhodes, 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 \$ 2,700.66 from Recoveries & Rebates, representing reimbursement for expenses paid on foster care children from Social Security and parents. Vice-Mayor Denton moved that the appropriation be approved for first reading, and that:-

\$ 2,700.66 chgd.to: VPA Fund (1005-2) Recoveries & Rebates.

2,700.66 approp.to: VPA Fund (05-8022-395.00) Bureau of Public Assistance- F.C.

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

✓ City Manager Milam presented an Agreement of Sale (contract) between the City Cab of Harrisonburg, Inc., Yellow Cab of Harrisonburg, Inc. and the City of Harrisonburg for purchase by the city of the companies' physical assets at the total purchase price of \$ 45,000. which had been discussed at the last regular meeting of Council. He read the Agreement in its entirety and noted that it had been prepared by Attorney James Sipe and reviewed by the City Attorney. An inventory count was done by Mr. John Nardi, Central Stores Clerk for the City and Mr. Ike Harris, an employee of the cab companies. Manager Milam said that 19 employees would be terminated by the companies on November 15th which is the closing date under the Agreement, and noted that between now and that time the employees would be evaluated for consideration of being retained by the City. Following a lengthy discussion, Vice-Mayor Denton moved that the Agreement of Sale be approved, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council. The City Manager was authorized to sign same on behalf of the City.

✓ As a follow-up of Council's approval of the sales contract for purchase by the City of Harrisonburg all physical assets of the City and Yellow Cab Companies, the following communication from City Auditor Shifflet was presented and read:-

"It is respectfully requested that the City Auditor be authorized to establish a Revolving Fund to be referred to as 'Public Transit Fund.' This fund would consist of the following: Cash Operating, Realized Revenue; Accounts Receivable--misc.; Reserve for Accounts Receivable; Accrued Expenditures; Vouchers Payable; Surplus Fund Balance. A Subsidiary set of accounts to Accrued Expenditures will also be established as an audit trail for all Personal Services and Operating Expenses. At

the close of the current Fiscal Year either a Debit or Credit Balance in the Surplus Fund Balance Account of the Public Transit Fund will be closed into the General Fund Unappropriated Surplus Account."

Vice-Mayor Denton suggested that the Fund be titled "Public Taxi-Transportation Fund" rather than "Public Transit Fund", which met with approval of all. Manager Milam explained that after the first of next year, this would be set up under a separate budget item and handled in a manner much like utilities are now being done. This would become effective on July 1, 1977, beginning of the City's new fiscal year. Following discussion, Vice-Mayor Denton moved that the City Auditor be authorized to proceed with establishment of the Revolving Fund known as "Public Taxi-Transportation Fund", which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

✓ City Manager Milam informed Council that in as much as the sales contract for purchase of physical assets of the City Cab of Harrisonburg, Inc. and Yellow Cab of Harrisonburg, Inc. had now been approved, funds were needed to establish public transportation for citizens of the community. He requested approval for a transfer of funds in the amount of \$ 45,000. from Revenue Sharing Funds which are presently earmarked for Housing & Community Development, into public transportation, to be used in establishing the system. Following a brief discussion, Vice-Mayor Denton moved that the transfer be approved, and that:-

\$ 45,000. trans.from: Revenue Sharing (HCD-1) Housing & Community Development.

45,000. trans.to: Revenue Sharing (PT-2) Public Transportation.

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

✓ The City Manager requested approval of a supplemental allocation in amount of \$ 54,289.73 representing all earned interest from Revenue Sharing, into the Public Transportation Account, to be used for the purchase of equipment needed, excluding physical assets of the two present cab companies which will be purchased by the City. Following discussion, Vice-Mayor Denton moved that the allocation be approved for a first reading, and that:-

\$ 54,289.73 chgd.to: Revenue Sharing- Interest Earned.

54,289.73 approp.to: (PT-2) Public Transportation- Equipment.

which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Council. The City Manager was asked to keep Council informed, by way of reports, concerning the transition of taxi service for the community.

✓ Council was reminded of a communication which had been received from Mary Bradshaw, Coordinator of the Chapter 10 Board, advising the City Manager that terms of Mrs. Eleanor Canter and Mrs. Nancy Myers would expire on December 31st of this year, and requesting that they both be reappointed for a second term in that they had consented to have their names submitted. On motion of Councilman Dingledine, seconded by Vice-Mayor Denton, and a unanimous vote of Council, both Mrs. Canter and Mrs. Myers were reappointed to the Chapter 10 (Mental Health & Mental Retardations Services) Board for terms of three years expiring on December 31, 1979.

✓ The City Manager presented a deed made November 1, 1976 between the City of Harrisonburg and The Madison Group, a Virginia Limited partnership, for conveyance of a certain parcel of land situated on the west side of Interstate 81, and suggested that it be referred to the City Planning Commission. On motion of Councilman Dingledine, seconded by Councilman Green, and a unanimous vote of Council, the deed was so referred.

✓ Council was informed by the City Manager that he had received a call today from Mr. Patrick, developer for Northfield Estates Subdivision, advising that the first 10 units of townhouses would be constructed so as to face East Washington Street as recommended by the City Planning Commission. He reminded Council that action on the Planning Commission's recommendation was deferred at the last meeting to allow time for the developer to respond concerning placement of the structures. Following a brief discussion, Councilman Rhodes moved that the Planning Commission's recommendation to approve the final plan for Section 2 of Northfield Estates be approved, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

✓ Council was reminded by the City Manager that a report from a duly appointed Board of Viewers had been accepted at the last regular meeting for closing of a 10' alley situated between 228 and 236 Franklin Street, and had referred same to the City Attorney to be drawn in proper ordinance form. Although the ordinance was not in final form at this time, Councilman Rhodes moved that it be approved for a first reading and referred to the City Attorney to be drawn in ordinance form, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Council.

✓ A communication dated 11/4/76 from Mrs. Mary Bradshaw, Coordinator for the Chapter 10 Board, was read, in which she requested that the Board be permitted to receive funds from two Developmental Disabilities Grants for the fiscal year 1976-77 for Pleasant View Home and make quarterly payments therefrom to the Home. Reason for the request was that the Code of Virginia does not allow the State to advance funds directly to private non-profit agencies or organizations, which affects Pleasant View Home, Inc. Following a brief discussion, Vice-Mayor Denton moved that the request be granted, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

✓ City Manager Milam said he had met with about six property owners in the vicinity of the Kavanaugh Hotel concerning properties, that two appraisals had already been made, and that he desired to have appraisals made on several other properties. A more complete report will be made in the very near future.

There being no further matters of business, Councilman Dingledine moved that the regular session adjourn (9:50 P.M.) and that Council go into an executive session to discuss personnel matters with the Recreation Commission, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

Mayor Erickson reconvened the regular session at 10:42 P.M. He noted that the matter of personnel

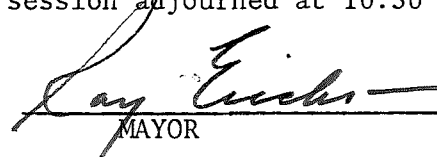
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had been completed in the executive session but that another matter (operational costs for the new Community Activities Center) should be discussed in regular session.

✓ Mr. Gilkerson pointed out various items listed in the proposed 7/12 year budget which could be deleted, and said that if interested, the Commission could rework the budget. Vice-Mayor Denton said the Council wanted to convey to the Recreation Commission that expenses have to be cut down in all departments and that the operating budget for the Center should be adjusted wherever possible. Mr. Gilkerson pointed out the fact that there will be a fee charged for certain activities at the Community Activities Center, and suggested that thought be given to setting a fee for entrance into the park. He suggested that the Center could be operated for a period of time to determine how much revenue will be derived, and mentioned that many cities are instituting fees into their recreational systems.

There being no further discussion, the regular session adjourned at 10:50 P.M.


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 Raymond C. Dingledine, Jr., Walter F. Green, III, Elon W. Rhodes, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave.

The evening's Invocation was led by The Rev. Carl Sherman, pastor of the Church of the Nazarene.

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

✓ The City Manager read the following resolution adopted by the Harrisonburg Retail Merchants Association signed by President Jerry B. McBride and Secretary C. Robert Hartt:-

WHEREAS, the public transportation system of the City of Harrisonburg is vital to the business sector of this community;

AND WHEREAS, it is essential to maintain an efficient and reliable system that is within the financial reach of all citizens;

AND WHEREAS, we believe that all possible alternative solutions have been thoroughly and completely investigated;

THEREFORE, it is the resolution of the Harrisonburg Retail Merchants Assoc. that this body does enthusiastically endorse and support the action of the Harrisonburg City Council to purchase and operate a taxi cab service for the City of Harrisonburg. We would further recommend that future consideration and study be given to the possibility of adding mini-bus service at the earliest possible date.

RESOLVED, this 17th day of November, 1976.

Mayor Erickson expressed appreciation for the resolution and said it would be recorded in minutes of this meeting.

✓ Mr. Jerry McBride, president of the Harrisonburg Retail Merchants Association, was present in the meeting to express concern about the downtown business district, and delay in action by the Downtown Development Committee. He suggested the following four steps which could be taken without going through a committee or consultant:- (1) improve lighting in the downtown area to reduce vandalism and encourage more shoppers; (2) repair of sidewalks and curbing along Main Street; (3) adjust timing on traffic signals to give greater advantage to the pedestrian; (4) provide better lighting on lower parking deck, particularly in the daylight hours when sudden change from sunlight to the enclosed area tends to impair vision. Other members of the Association expressed concern that plans of the Downtown Development Committee was to complete the covered walkway from Water St. to Court Square in time for Christmas shopping, which project has not as yet been started. Mr. Robert Hartt, secretary of the Association, suggested that a time-table be set up and followed with regard to downtown improvements, and noted that the merchants find no fault with a mall, as proposed, but desire that some action be taken to get things going in the downtown area. Mr. Eddie Ney made an observation that improvements are imperative in order that the area can compete with shopping centers. Council was informed that downtown merchants are disturbed about the very poor lighting, particularly on E. Elizabeth and E. Market Streets, in that it discourages night shoppers. Mayor Erickson pointed out that the downtown area is a top priority with Council and noted that the Downtown Development Committee has had an engineer evaluate the area. Although steps are being taken, progress is slow. Manager Milam pointed out that certain legal problems were holding up the covered walkway project. Following a lengthy discussion, Councilman Dingledine moved that the matter of street lighting be referred to the Harrisonburg Electric Commission for study and report with regard to lighting in the central business district, particularly on E. Elizabeth St. and E. Market Street, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council. The City Manager was asked to see if a report from the Downtown Development Committee could be made at the next meeting.

✓ City Manager Milam reminded Council that an ordinance amending Section 5-1 of the City Code, adopting the Virginia Uniform Statewide Building Code as currently amended and all additional amendments in the future, had been approved for a first reading on November 9th. Following a brief discussion, 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 Rhodes, was adopted by a unanimous recorded vote of Council. (Refer to Ord. Bk K page 105).

✓ Manager Milam presented and read an ordinance amending Section 10-1 of the City Code adopting the 1976 Fire Prevention Code, which had been approved for a first reading on November 9th. He noted that the previous code had provided that the Fire Chief or any member of the department could enforce the

code, whereas under the amendment, the Department of Building Inspection would be the enforcing agency for this, as well as various other codes, thus consolidating all under one agency. 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 Green, was adopted by a unanimous recorded vote of Council. (Refer to Ord. Bk. K, page 106).

✓ Councilman Green moved that a supplemental allocation in the amount of \$ 54,289.73 representing all interest earned from Revenue Sharing into account of Public Transportation for purpose of purchasing needed equipment, be approved for second and final reading, a first reading having been approved on November 9th, and that:-

\$ 54,289.73 chgd.to: Revenue Sharing- Interest Earned.

54,289.73 approp.to: Revenue Sharing (PT-2) Public Trans.- Equipment.

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

✓ Councilman Dingleline moved that a supplemental appropriation in the amount of \$ 2,700.66 from Recoveries & Rebates and representing reimbursement for expenses paid on foster care children from Social Security and parents, be approved for second and final reading, a first reading having been approved on November 9th, and that:-

\$ 2,700.66 chgd.to: VPA Fund (1005-2) Recoveries & Rebates.

2,700.66 approp.to: VPA Fund (05-8022-395.00) Bureau of Public Assistance- F.C.

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

✓ Vice-Mayor Denton moved that a supplemental appropriation in the amount of \$ 1,747.50 requested by the Social Services Director in order to cover salary for a CETA employee for months of July, August, and September, 1976 with federal funds, from account of Recoveries & Rebates, be approved for second and final reading, a first reading having been approved on November 9th, and that:-

\$ 1,747.50 chgd.to: VPA Fund (1005-2) Recoveries & Rebates.

1,747.50 approp.to: VPA Fund (05-8021-12.50) Bureau of Personal Services- Elig.

Worker (Title II - CETA) July, Aug., and September, 1976.

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

✓ The City Manager informed Council that on November 19th he had received a check from the federal government in the amount of \$ 10,176. for Antirecession Fiscal Assistance authorized by Title II of the Public Works Employment Act of 1976 for the quarters of July and October for employment. He pointed out that the City is obligated within a six month period to appropriate or obligate the funds, primarily for employment of persons. He noted further that the City's contract for the CETA program is due to expire as of December 31st this year. He said it would have to be decided what department should handle the funds and who should be employed. Council discussed the matter and agreed that further review should be given prior to establishing use of the funds.

✓ Council was advised by the Assistant City Manager and members of the Harrisonburg Highway Safety Commission that By-Laws call for a member of the governing body to serve on it and that Dr. Cline had previously represented Council. Councilman Dingleline moved that Councilman Elon Rhodes serve as a representative of Council, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

City Attorney Lapsley reminded Council that the Legal Aid Society is presently active with no representative of the City of Harrisonburg and that someone, other than a person in the field of law should be appointed. Mayor Erickson asked members to be thinking on an appointment.

✓ Councilman Dingleline told Council that he had been requested to see that a member of City Council would be appointed to serve the new calendar year on the Board of Directors for Valley Program for Aging Services. He noted that in as much as he is currently serving on the Advisory Board with term to expire on May 1, 1977, and also on the Board of Directors with no term specified, he would be glad to continue through the year 1977 should Council so desire. Vice-Mayor Denton moved that Councilman Dingleline be so appointed, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

✓ The City Manager presented and read, for a second and final reading, an ordinance for closing of a 10' alley situated between 228 and 236 Franklin Street. He reminded Council that the request had been before the Planning Commission as well as a Board of Viewers, both having recommended the closing, and that an ordinance effecting same had been approved for a first reading on November 9th. 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 Rhodes, was adopted by a unanimous recorded vote of Council. (Refer to Ord. Bk. K, page 104).

✓ The following recommendation submitted by the Planning Director from a meeting of the Commission held on November 17th was read by the City Manager:-

"...Mr. William Smith, attorney for the Madison Group, reported to the Planning Commissioners that he is amending the Deed between the City and his Group regarding 'Parcel A'. The new wording will grant to the City a perpetual easement of right-of-way over the entire parcel for these purposes:

a) erecting, maintaining and servicing power lines or related equipment or accessories;

b) repairing, maintaining, altering, operating sewers, storm drains, water mains, or other utilities, in, into, upon, over, across, and under said parcel of land.

Mr. Sullivan reviewed the events that have taken place, that is, approval of Sec. 1 of College Court Subdivision on October 26, 1976, subject to acceptance of this Deed

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whereby the City is selling to The Madison Group this 15,060 square foot 'Parcel A.' This transaction is necessary before the developers can build Mountain View Drive from Cantrell Avenue to their townhouse site.

Mr. Kuykendall offered a motion that the Planning Commission recommend to City Council that 'Parcel A' be sold by the City (H.E.C.) to The Madison Group, provided Attorney Smith's new wording for a perpetual easement be placed in the Deed. Mrs. Bowman seconded the motion. Members voting in favor: Mrs. Bowman, Mr. Kuykendall, Mr. Williams and Mr. Gilkeson; voting against: none; abstaining: Mr. Denton..."

The City Manager pointed out that the land in question (long and narrow strip) is no longer needed by the Harrisonburg Electric Commission and that both HEC and The Madison Group have agreed on arrangements for purchase of this strip of land by the Group. The matter was discussed after which Councilman Green moved that the Agreement be approved based on the Planning Commission's recommendation and that the proper officials be authorized to sign the same, which motion upon being seconded by Councilman Dingle-dine, was adopted by a majority recorded vote of Council. Mr. Denton, abstaining. Councilman Dingle-dine suggested that it be made clear in the record that both HEC and The Madison Group had agreed on the purchase price of \$1500. based on cost of same when purchased by H.E.C., in that this was deemed to be a fair and suitable price.

✓ The City Manager read the following recommendation submitted by the Planning Director from a Commission meeting held on November 17th:-

"...The Commissioners reviewed a map illustrating the homes on Newman Ave. from S.Mason St. to Ott St. The map also illustrated 'normal' 20' parking spaces along both sides of the street, while recognizing driveway entrances and a public alley which intersects Newman Avenue. There are 28 parking spaces and 8 dwellings on the north side, and 27 parking spaces and 13 dwellings on the south side of Newman Ave. Mr. Sullivan reviewed several suggestions which have been made concerning the problem, for example, apply the neighborhood parking permit plan, place meters on the block, erect 2-hour only parking signs. Mr. Kuykendall suggested marking one parking space in front of each house and stenciling the words 'Resident Parking' on the street pavement. The areas of curbing and street space otherwise not marked could be used by visitors. The Commissioners agreed that this proposal should be tried out for a 6-month trial period. The Director was instructed to present the proposal to City Council..."

Assistant City Manager Driver pointed out the fact that painting of lines could be done only if temperature reaches 70° and noted that should a warm day occur, there would be a problem with parking on the street. He noted that the lines would have to be repainted every two years, and mentioned the fact that requests for relief on parking problems have come in to his office from two other streets. Councilman Green said that complaints had been made by residents of Campbell Street concerning parking, particularly from the standpoint of the Church owned property. After further discussion, it was agreed to defer the matter of the recommendation until the next regular meeting in order to allow time for further study, as well as to explore the suggested painting of lines from a legal standpoint.

✓ The City Manager informed Council that by communication from the State Water Control Board to the Mayor dated November 4th advising that the City of Harrisonburg had appeared on a priority listing of cities to receive an amount of \$ 73,330. of a total \$112 million to be allocated in the State of Virginia for an infiltration study, which list has been tentatively approved. Following receipt of the list, the City's engineering and sewer departments met with engineering firms from three different locations and obtained basically the same proposals from each, for the cost of \$ 75,000. for services in such a study. He requested that before authorization was given by Council for an infiltration analysis, that he be permitted to attend a meeting of the State Water Control Board on December 7th in order to determine whether or not the City can apply for the \$ 73,330. of which amount the federal government would fund \$ 55,000., leaving a balance of \$ 18,330. to be paid by the City of Harrisonburg. He suggested also looking into the possibility of the study being made by our own engineering department since it is a well known fact that we do have infiltration. Following discussion, the City Manager and others concerned with the matter, were asked to attend the December 7th meeting.

✓ The City Manager presented and read correspondence dated November 15th from City Treasurer Firebaugh requesting that a revised list of real estate to be sold for delinquent taxes be approved by Council. The original list contained only five properties, whereas the revised list contains ten. The matter has been carried on Council's calendar of unfinished business since May 13, 1975 at which meeting it was referred to the City Attorney for handling. Mention was also made in the correspondence of an item on the Calendar to consider a tax lien on six lots situated on Norwood Street. Manager Milam reminded Council that he had been requested at the meeting of October 12th to write Attorney Steven Weaver a letter advising him that it was the general feeling of all departments concerned with the cleaning of the lots, that the total amount charged, should be paid. Following discussion, Vice-Mayor Denton moved that the revised list of real estate as submitted by the City Treasurer be approved and referred to the City Attorney for investigation and report, which motion upon being seconded by Councilman Dingle-dine, was adopted by a unanimous vote of Council.

✓ For Council's information, City Manager Milam gave a brief report on the City's public transportation since November 15th when the City began operation of taxi service for its citizens. He noted a \$ 1,850. running cost, with a \$300. loss the first week which did not include depreciation on the vehicles, insurance, or management costs. Income from the cabs was in amount of \$ 1,500. According to the City Manager, annual gross income, based on the one week, would be \$ 75,000., and for the system to be self-supporting, a gross income of \$ 130,000. should be realized. He noted further that the cabs traveled 5,000 miles during the week on 540 gallons of gasoline, resulting in a 9.4 mile per gallon average. Council was asked to be thinking about a location for the business, either improving the present one or locating elsewhere. One possibility mentioned by the City Manager was for former No. 4 Hose Co. building on W. Elizabeth St., which, in his opinion, would have both advantages and disadvantages.

✓ For information, Manager Milam read the following notice which will be included in each consumer's water, sewer utility bill for December explaining additional charge for sewer:-

The United States Environmental Protection Agency and The State Water Control Board required the City of Harrisonburg, towns of Dayton and Bridgewater to build new Sewage Treatment Facilities. In July 1970, the County of Rockingham, City of Harrisonburg, Towns of Dayton, Bridgewater and Mount Crawford created the Regional Sewer Authority. The regional facility will cost approximately \$ 17,541,800.00 of which \$ 9,077,580.00 will be paid by EPA, \$ 4,126,175.00 by the State and \$ 4,338,045.00 to be divided between Rockingham County, the City of Harrisonburg, Towns of Dayton, Bridgewater and Mount Crawford.

A final contract has been approved by all Political Subdivisions. The Sewer Authority has set the rate at \$.54 per 1,000 gallons to be billed according to water meter readings. The City will collect this amount of money from each of its customers and pass on to the Sewer Authority in accordance with the total sewage flow that will be verified at the City Limits by master meters.

November 1976

City of Harrisonburg Billing Department.

✓ Assistant City Manager Driver reported that he had met with Harrisonburg Electric Commission concerning placing of electric wires underground on Main Street from Grace St. to the railroad tracks at the souther end of Madison campus and had received from them an estimated cost of \$ 94,000. for the project. According to Mr. Driver, they will not proceed until assured as to whom will pay for same. He offered an opinion that this was not the right outlook in that it should be done from the standpoint of being for the City of Harrisonburg (Port Rd. to Grattan St.), although Madison College did make the original request for underground wires. He said the City would be proud of the beautification resulting along Main Street if done this way, rather than unsightly poles and wires, although the cost will be much higher. He mentioned the fact that maintenance would be at a minimum in that ice would not down wire, no replacement of poles from car accidents, no trimming of trees necessary, and recommended approval of the project by Council. According to Mr. Driver, the Water & Sewer Departments will pay for relocation of their lines, and should the amount of placing electric wires underground be charged to the Street Department, it would cut down on other projects. During discussion, Councilman Green asked if Council should communicate with HEC about its thinking. It was unanimously agreed that Mr. Driver contact HEC again concerning an estimate of cost for underground wires from Grattan St. to Port Road, etc. and report back at the next regular meeting.

✓ Councilman Dingleline presented correspondence dated 11/15/76 from Dr. N.M. Canter, Jr., to each member of Council, requesting that Council investigate and advise of action with regard to heavy traffic on a 10' alley which runs north and south behind homes in the 400 block of Ott Street. It was noted that all home owners whose properties have contact with the alley are unanimous in their wish that something be done to curtail heavy traffic in that it has increased since construction of homes in the area. Following a brief discussion, Councilman Dingleline moved that the matter be referred to the Harrisonburg Highway Safety Commission with a letter written to Dr. Canter advising him of this action, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ Assistant City Manager Driver reported for information that the deed has been recorded for the lot situated at the corner of Ott St. and proposed Mountain View Drive, and now belongs to the City of Harrisonburg.

✓ Councilman Green questioned an amount of \$ 16,966.26 which has been carried on the City's monthly financial report for a number of years as a deficit for Westover Park project and suggested that the City Attorney write the State Board of Outdoor Recreation to find out about it. The City Auditor said he had done all he could through the Recreation Department to receive the amount in order that City books could be closed out with regard to the project, in that all necessary inspections have been made of Westover Park. Following a brief discussion, the City Attorney was asked to write the Commission on Outdoor Recreation concerning this matter.

There being no further business and on motion duly adopted, the meeting adjourned at 9:57 P.M.

N. Arlene Loker
CLERK

Lay E. Fisher
MAYOR

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Tuesday, December 14, 1976

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, Vice-Mayor E. Warren Denton, Jr., Councilmen Raymond C. Dingledine, Jr., Walter F. Green, III, Elon W. Rhodes, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent: City Clerk N. Arlene Loker (sitting in for the Clerk, Assistant City Manager John E. Driver.)

The evening's Invocation was led by The Rev. Art McPhee, pastor of Lindale Mennonite Church.

Mayor Erickson announced that due to the absence of the Clerk who is convalescing from a fractured knee, a tape recording of this meeting, along with additional information to be supplied by Mr. Driver, would be turned over to Mrs. Loker for preparation in proper minute form.

Minutes of the regular meeting held on November 23, copies of which had been received earlier by each member of Council, were 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, 1976.

From the City Treasurer:

A Trial Balance report as of close of business on November 30, 1976.

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 November, 1976.

From the City Auditor:-

A financial report of the City of Harrisonburg for month of November, 1976.
A report of cash discounts saved in payment of invoices for month of November, 1976 totaling \$ 77.46.

From the Department of Utility Billing:

A report of water, sewer and refuse accounts; meters read; installations; cut delinquents; complaints; re-reads, etc. for month of November, 1976.

Mayor Erickson extended a cordial welcome to members of Cub Pack 40, who were attending the meeting as a group.

✓ Attorney Franklin R. Blatt appeared before Council on behalf of Messrs. David McDaniel and Larry Leake, residents of the City, to present plans which are now underway for a joint business venture at 29-33 S. Liberty St. (Good property) to be known as Gatsby's. This will be a restaurant type facility to seat approximately 200 people, with some game type entertainment. It will provide a 16' X 16' dance floor with band stand. Live entertainment on Thursday, Friday, and Saturday nights only. The clientele will be young people from possibly 18 - 40 years of age. Fifteen to twenty full-time and part-time employees will work at the facility. Attorney Blatt noted that the location is close to the downtown area with ample parking, but will not interfere with downtown traffic, etc. A request will be made later for a beer-beverage license, and Council will be asked to approve a dance permit. Anticipated date of opening is January 4th or 5th. Extensive planning is being done in order to comply with various city ordinances. Following a brief question and answer session, the Mayor expressed appreciation for the presentation by Attorney Blatt. City Manager Milam reminded Council that prior to approval of a dance permit, various inspections must be made, and report of same received.

✓ City Manager Milam presented and read the following resolution:

"WHEREAS, Madison College has long been an important part of the City of Harrisonburg and the institution has contributed in many ways to the betterment of the City; and

WHEREAS, a proposal has been made to change the name of Madison College to 'James Madison University'; and

WHEREAS, the institution is indeed a 'university' in terms of size, diversity of programs, character and scope:

THEREFORE, BE IT RESOLVED that the City Council of Harrisonburg supports the proposed change in name of the institution to James Madison University and urges the Virginia Assembly to act favorably on the institution's request."

Councilman Dingleline said that President Carrier had discussed the proposed resolution with him, and noted that the administration of the College feels it would be helpful to the Colleges' effort to secure Legislative approval for any change in name, if Council would approve the resolution. He offered an observation that the name change would give more distinctiveness to this institution and perhaps lead to its becoming more closely associated with the City of Harrisonburg. After further remarks, Councilman Dingleline moved that the resolution be approved, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

✓ City Manager Milam reminded Council of a discussion which was held at the November 23rd meeting concerning the possibility of Harrisonburg being eligible to receive \$ 73,330. in state funds out of a total of \$ 112,000,000. to be allocated to the State of Virginia, to be used for an infiltration and inflow study, noting that at that time, he, and others related to the matter were asked to attend a December 7th meeting in Bridgewater with the Water Control Board. He reported that he, along with the City Engineer and Water-Sewer Superintendent, had attend the meeting and had discussed the City's eligibility with Mr. Brad Chewning, Regional Director of the State Water Control Board. The Board would like for Harrisonburg to be eligible whenever Congress appropriates the money, although this has not been done, to date. Conditions set forth by the Board (not agreed with by the City Officials) were for the City to share its grant with the towns of Dayton and Bridgewater, and to transfer its allocation over to the Harrisonburg-Rockingham Regional Sewer Authority. The City Manager said they had been given an application folder of necessary forms and a project number, while at the meeting. When asked by the Mayor if any information had been obtained as to how the funds would be administered, Manager Milam replied that it was desired to be handled by local city departments with sub-contracting to engineering firms, and recommended that the grant application be submitted. Following discussion, Vice-Mayor Denton moved that the City Manager pursue the matter, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

✓ Council was reminded that the terms of Messrs. Conard Washington, Walter F. Green, Jr., and Hollen G. Helbert, members of the Redevelopment & Housing Authority had expired as of November 29, 1976. Councilman Rhodes moved that the three named be reappointed to the Authority for terms of four (4) years each, expiring on November 29, 1980, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ It was called to Council's attention that as of December 31st this year, there would be three vacancies on the City Planning Commission, with Mr. Billy H. Kuykendall, and Dr. Charles L. Shank eligible for reappointment. Mr. James Gilkeson is completing his second successive term. Following a brief discussion, Councilman Dingleline moved that Mr. Kuykendall and Dr. Charles Shank be reappointed to the Planning Commission for terms of four years each to expire on December 31, 1980, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ The fact was pointed out that to date, Council had not appointed anyone to serve on the Legal Aid Society Board. Several names were mentioned which had been received as suggestions. Following a brief discussion, Vice-Mayor Denton moved that Rev. H. Hasbrouck Hughes, Jr., pastor of Asbury United Methodist Church, be appointed to the Legal Aid Society for a term of one year, expiring December 14, 1977, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council.

✓ Councilman Dingleline moved that Norvell A. Lapsley be reappointed as City Attorney for a term of four (4) years, expiring on December 31, 1980, in as much as his term expires this month. Councilman Green seconded the motion, which was adopted by a unanimous vote of Council.

✓ Council was made aware of the fact that the terms of Messrs. Jack Neff and Walter Trobaugh, Jr., members of the Building Code Board of Appeals, had expired on November 30, 1976. Both are eligible for reappointment. Councilman Rhodes moved that both be reappointed for terms of four years each, expiring on November 30, 1980, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ Councilman Dingleline, a member of the Harrisonburg-Rockingham County Independence Bicentennial Commission, told Council it was the desire of the State Commission for all local Commissions to continue active, although the emphasis has been on the year 1976. He noted that plans have been made for various programs to be carried out and moved that the following persons whose names were submitted on a November 12th memo as being interested in serving, be appointed, namely:- Dana Armentrout, LeAnne Cloud, Harriet Cooley, Lydia Dambekalns, Raymond Dingleline, John L. Heatwole, Nancy Hess, Brudon DeWitt, A. L. Keim, Tassie LaPrevotte, Austin Loewner, Richard McMasters, Melvin Miller, Eugenia Nelson, Robert Privott, Juanita Sanders, David Shantz, Rev. Lloyd Sprinkle, Robert Sterrett, Stanley N. Turner, and Charles Wampler, Jr. The motion was seconded by Vice-Mayor Denton and adopted by a unanimous vote of Council.

✓ In as much as the term of Nelson T. Wetsel, a member of the Harrisonburg Parking Authority, had expired on November 28th of this year, Mayor Erickson asked Council's wishes. Vice-Mayor Denton moved that Mr. Wetsel be reappointed to the Authority for a term of five (5) years, expiring on November 28, 1981, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

✓ Concerning a recommendation from the Planning Commission presented at the last meeting of Council for painting of lines on Newman Avenue to designate residential parking only, Manager Milam said the City Attorney had checked it out from a legal standpoint. City Attorney Lapsley informed Council that it would be legal but offered an opinion that it should be done by ordinance in that there are no provisions for this in the present code. The City Manager said if Council desired to paint lines, the Motor Vehicle Code should be amended. Councilman Green asked the possibility of painting lines on Newman Avenue on a trial basis to determine its effectiveness, prior to any ordinance change. Mayor Erickson reminded members of the temperature problem which was pointed out by Mr. Driver and asked if there was a substitute material. Mr. Driver replied that a scotch type material for temporary marking is on the market but would prove very expensive. A question was raised regarding color of paint to be used, and Mr. Driver said white had been decided upon. It was agreed by Council that yellow would be more appropriate as this designates "no parking." Mr. Driver said he would check this out as there are state guidelines for colors. Following discussion, it was agreed that the matter be referred to the Administrative group to work out a plan for presentation at the next regular meeting of Council.

✓ City Manager Milam reminded Council that at the last regular meeting it was indicated that a report was desired regarding downtown development, and noted that although a feasibility report was not in readiness, key personnel of the City had met last week with the Consultant. He called on Planning Director Sullivan for a preliminary report. Mr. Sullivan called attention to the 1965 Bartholomew plan for the downtown area of Harrisonburg which covers all subjects, in that this plan indicates the basic concept for today's thinking. He then presented maps on a larger scale, showing sidewalks and open spaces in the central downtown district; location of traffic lights with three new locations added; (E. Bruce and Mason, West Bruce and S. High, W. Wolfe and North High); location of street lights (presently 100 pole lights from the railroad to Mason and Campbell, to Wolfe); parking spaces on parking lots, and streets numbering 1,394 in the downtown area. Mr. Sullivan also discussed possible widening and rebuilding of sidewalks for carrying out the mall idea with information booths, benches, planter arrangements, etc. from the parking deck to Court Square. Assistant City Manager noted that an alternate Route 33 mentioned in the discussion would have to be designated "truck route", and would have to be approved by the Highway Commission. Council was informed that he had talked with Harrisonburg Electric Commission officials about downtown street lighting and it has been suggested that the 400 watt bulbs be increased to 1,000 watts, which will require 4 to 6 weeks to receive needed materials for changing pole fixtures. The City is now paying \$ 96.00 annually for each pole light, which if wattage is increased, would mean approximately \$ 100.00 more for each. Mr. Driver offered an opinion that 25 to 30 lights should satisfy merchants who expressed concern about downtown lighting. Mayor Erickson suggested that concentration be placed on the poorly lighted areas such as Federal Alley and the rear of the post office. Councilman Rhodes pointed out the fact that there are no lights on the median strip between Elizabeth and Gay Streets on Mason, and that cars turning in, have knocked over several poles due to poor lighting. He offered an opinion that increasing wattage on the Post Office lot should help this situation. Councilman Green urged that steps be taken for downtown improvement in that the matter has been under discussion for some time now. After a suggestion that provision be made in next year's budget for sidewalk repairs, he moved that the Harrisonburg Electric Commission be requested to improve street lighting based on guidelines set forth in this discussion tonight as to increasing bulbs from 400 watts to 1,000 watts, and concentration on areas mentioned for 25 to 30 locations of light poles, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council. The Assistant City Manager said he would work with the HEC. Councilman Green then moved that funds for Reserve for Future Construction Projects in amount of \$ 90,000. be allocated for sidewalks and pedestrian mall, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council. Mr. Driver said that S. Main Street could not be closed to traffic for construction of a mall and offered an opinion that improved street lighting, sidewalk repairs, and beautification would be the way to improve the downtown area, although this would have to be approved by the Downtown Development Committee.

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For Council information, the City Manager reported that a meeting will be held next week with various property owners concerning acquisition of properties in the Kavanaugh Hotel area. The City will receive a package price from Mr. Irvin Nash on the Klingstein properties as soon as possible and get a Bill of Sale in order to follow up with demolition of same. He noted further that an application will be submitted for rehabilitation monies in that the \$ 700,000. which was appropriated (\$525,000. Block Grant plus \$ 175,000. added by the City), is not in sufficient amount for the total project. Several hundred thousand of this will be needed for acquisition alone. The City will also have to pay a portion of cost for relocation of businesses in that particular block. Manager Milam informed Council that a feasibility report on renovating the hotel building for low cost housing for the elderly is expected from the Consultant the first week in January, 1977. Councilman Green said he is in hopes that the City can purchase all buildings included in its plans, because any left in private hands could be obstacles to future development of the block. He suggested that the City get cost estimates from a local contractor on building a new housing unit of comparable size to the Kavanaugh Hotel, in order that Council will have some comparison when the renovation study is received.

Councilman Rhodes called attention to a problem area at the Salvation Army building (Johnson and Main Sts.) where the bridge is over Blacks Run and no sidewalk. It was agreed that the Clerk be instructed to place this matter on Council's calendar.

City Manager Milam reminded Council of an appropriation to the S.P.C.A. which was approved for a first reading on October 26th, and action deferred since then pending an itemized statement from the organization concerning care of animals from the City of Harrisonburg. He called attention to a financial report which had been received for calendar years 1972 thru 1975 of contributions, receipts, and expenditures, and net worth of approximately \$ 32,000. He recommended that the amount of \$5,490. already approved for first reading be paid the S.P.C.A. for fiscal years 1974 and 1975, an amount of \$ 1.00 per day per dog for fiscal year 1976, and an amendment of the City's contract for 1977 for a lump sum appropriation to eliminate submitting of statements to the City. Members of Council commended the S.P.C.A. for the work it is doing and the competent volunteer help. Following a lengthy discussion, Vice-Mayor Denton moved that the appropriation be approved for second and final reading, and that:-

\$ 5,490. chgd.to: General Fund, Unappropriated Surplus Account.
5,490. approp.to: General Fund (9040-390.00) Dog Warden, Other
Operating Expenses for S.P.C.A.

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

City Manager Milam presented proposed operational budget (Dec. 1976 - June 1977) in amount of \$ 23,180. for the Community Activities Center and said this could be considered for a second reading in that the labor portion of the total budget, only, had been approved for two readings at a previous meeting. He had, however, listed this for consideration of a first reading tonight. He discussed all items listed in the total, representing an amended amount since originally presented. Following a lengthy discussion, action was deferred, pending a report from the Recreation Department concerning an amount of \$ 25,000. which is in current appropriations for operating funds. No firm decision was reached as to whether the operational portion of the proposed budget will be considered as a first or second reading, when acted upon.

A request was presented from the Recreation Director for approval of a supplemental appropriation in the amount of \$ 17,353.68, in order to establish an office for Valley Program Aging Services for period December 1, 1976 thru September 30, 1977. Following a brief discussion, Councilman Dingledine moved that it be approved for a first reading, and that:-

\$ 17,353.68 chgd.to: General Fund (1005.00) Recoveries & Rebates.
17,353.68 approp.to: General Fund (11028)

Price Rotary Center VPAS (as follows)
\$6,892.31 (11.00) Director
4,827.10 (11.01) Driver/Janitor
710.87 (211.00) Gas, Oil, Tires, etc.
350.00 (212.00) Materials & Supplies
478.82 (240.00) Communications
400.00 (274.00) Auto Equip., Maint. & Repairs
1,000.00 (290.00) Rents and Leases
450.00 (330.00) Travel
1,517.75 (361.00) Electricity
50.00 (362.00) Sewer
30.00 (363.00) Water
646.83 (390.00) Other Operating Expenses

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

Council received a request from the Assistant City Manager for approval of a supplemental appropriation in the amount of \$ 12,180.45 in order to transfer Title II, and Title II, TQ funds received from the Virginia Employment Commission for months of August, September, and October, 1976 to proper accounts. Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

\$ 12,180.45 chgd.to: General Fund (1005.00) Recoveries & Rebates.
1,875.46 approp.to: General Fund (11020-12.01) Rec.- Wages- Rec.Supr.- Title II
985.69 approp.to: General Fund (11020-12.02) Rec.-Wages- Athl.Instr.- Title II
909.03 approp.to: General Fund (11020-12.03) Rec.-Wages- Sec.Officer- Title II
633.89 approp.to: General Fund (11020-12.04) Rec.-Wages- Maint. Man- Title II
1,575.63 approp.to: General Fund (11020-12.50) Rec.-Wages- Rec.Instr.- Title II, TQ
2,296.94 approp.to: General Fund (11020-12.51) Rec.-Wages- Park Maint.-Title II, TQ
1,296.31 approp.to: General Fund (11020-12.52) Rec.-Wages- Janitor-Title II, TQ
489.38 approp.to: General Fund (11020-12.53) Rec.-Wages- Clerk Typist-Title II, TQ
408.00 approp.to: General Fund (11020-12.54) Rec.-Wages- Act.Dir.- Title II, TQ
928.52 approp.to: General Fund (11020-12.55) Rec.-Wages- Ground Maint.- Title II, TQ
781.60 approp.to: General Fund (11020-12.56) Rec.-Wages- Tree Trmg.-Title II, TQ

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

✓ A request from the Assistant City Manager was presented for approval of a supplemental appropriation in amount of \$ 7,637.21 from Recoveries & Rebates in order to transfer Title II and Title II, TQ funds received from the Va. Employment Commission for months of August, September, and October, 1976 to proper accounts. Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

- \$ 7,637.21 chgd.to: General Fund (1005.00) Recoveries & Rebates.
- 2,019.66 approp.to: General Fund (10110-12.01) St.Inspect.-Wages-Laborers- Title II
- 3,691.07 approp.to: General Fund (10110-12.50) St.Inspect.-Wages-Laborers- Title II, TQ
- 1,926.48 approp.to: General Fund (10110-12.51) St.Inspect.-Wages- Eq.Mech.-Title II, TQ

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

✓ The City Manager presented a request from the Assistant City Manager for approval of an appropriation from account of Recoveries & Rebates in amount of \$ 7,107.29 in order to transfer Title II, and Title II, TQ funds received from the Va. Employment Commission for months of August, September and October, 1976 to proper accounts. Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

- \$ 7,107.29 chgd.to: General Fund (1005.00) Recoveries & Rebates.
- 1,867.11 approp.to: General Fund (9010-12.01) Police-Wages- Tr. Cntrl.- Title II
- 5,240.18 approp.to: General Fund (9010-12.50) Police-Wages-Patrolman- Title II, TQ

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

✓ A request from Assistant City Manager Driver was presented for approval of a supplemental appropriation in the amount of \$ 6,521.79 from Recoveries & Rebates in order to transfer Title II, TQ funds received from the Va. Employment Commission for months of August, September, and October 1976 to proper accounts. Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

- \$ 6,521.79 chgd.to: General Fund (1005.00) Recoveries & Rebates.
- 6,521.79 approp.to: General Fund (9020-12.50) Fire-Wages-Firemen- Title II,TQ

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

✓ City Manager Milam requested Council approval of a supplemental appropriation in the amount of \$ 3,977.76 from Recoveries & Rebates in order to transfer Title II, TQ funds received from the Virginia Employment Commission for months of August, September and October, 1976 to proper accounts. Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

- \$ 3,977.76 chgd.to: General Fund (1005.00) Recoveries & Rebates.
- 3,977.76 approp.to: General Fund (4040-12.50) Purchasing Agent-Wages- Title II,TQ

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

✓ A request was presented from the Assistant City Manager for approval of a supplemental appropriation in the amount of \$ 1,597.63 from Recoveries & Rebates in order to transfer Title II, TQ funds received from the Va. Employment Commission for months of August, September, and October, 1976 to proper accounts. Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

- \$ 1,597.63 chgd.to: General Fund (1005.00) Recoveries & Rebates.
- 1,597.63 approp.to: General Fund (6015-12.50) Police Court-Wages- Title II, TQ

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

✓ The City Manager presented a request from the School Board Office for Council approval of a supplemental appropriation in the amount of \$ 12,033.26 in order to appropriate funds received from Comprehensive Training and Employment Act, Title II, TQ for quarter ended 9/30/76. Following a brief discussion, Councilman Dingledine moved that the appropriation be approved for a first reading, and that:-

- \$ 12,033.26 chgd.to: School Fund (r-28A) Receipts from Federal Funds-Other Federal Funds, CETA
- 1,631.07 approp.to: School Fund (1200-135.50) Admin. Comp.- Secretaries- CETA
- 1,861.45 approp.to: School Fund (1201-109.50) Other Inst.Costs- Comp.Teacher Aides- CETA
- 1,597.14 approp.to: School Fund (1201-109.51) Other Inst.Costs- Comp.Clerical- CETA
- 5,396.58 approp.to: School Fund (1201-134.50) Day Sch.Instr.- Comp.Teachers- CETA
- 1,547.02 approp.to: School Fund (1205-229.50) Oper.Sch.Plant- Comp. Custodian- CETA

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

✓ For information, City Manager Milam reported that a comprehensive application which included various documentaries concerning the Cantrell Avenue project had been submitted to the E.D.A. office in Philadelphia on November 22nd for funding of \$ 295,976. and that acknowledgement of same was received on November 30th, along with assignment of project number. Assistant City Manager pointed out that if the City hears nothing within 60 days, the application will have been approved. The City could also reject it, if desired, within that period of time.

✓ The City Manager presented an estimate of cost submitted by the Harrisonburg Electric Commission for underground electric power facilities on South Main Street, which matter has been discussed at previous meetings. The estimated total cost of \$ 341,144.29 was divided into three sections for Council's consideration as follows: (1) from C & W railroad along Madison College to Grace St. - \$ 103,376.75; (2) from Grace Street to Grattan Street - \$ 69,824.82; (3) from C & W railroad to Port Road - \$167,942.72. The Assistant City Manager offered an opinion that the figures seem high but noted that Mr. Gene Wampler had spent much time and effort in working out the estimates. Mayor Erickson suggested a meeting with H.E.C. in order to have the project explained more fully. Following discussion, it was agreed that the City Manager set up a meeting date, possibly the first week or so in 1977 with H.E.C. officials to discuss this matter.

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✓ For information, the City Attorney reported that an application submitted to the Board of Outdoor Recreation some time ago for an approximate amount of \$ 17,000. for remainder of Westover Park Project is being held up. He noted that two separate contracts for two separate jobs were submitted by the same contractor, each in an amount exceeding \$ 10,000. This is being questioned by the federal office. It is hoped that a ruling will be forthcoming in order that the money may be released. Mr. Lapsley noted further that due to the delay, the State Outdoor Recreation Office has asked the State Comptroller to pay to the City of Harrisonburg the State's share of \$ 5,266. Mayor Erickson expressed a hope that the Park Project may be cleared up very soon, with receipt of the funds.

✓ The City Manager called attention to his monthly progress report and brought Council up to date on the taxi transportation service. He said that bids had been received from 3 firms on 5 new vehicles with low bid of \$ 4,421.00 submitted by Dale Wegner Chevrolet on the 4-door sedan, Nova, six cylinder, which will be yellow in color. An order was placed about a week ago. An order has also been placed with a Broadway Distributor for new radio equipment for the vehicles, and a bay station, which will cost in the neighborhood of \$ 4,500. Manager Milam noted that sufficient money is not coming in, although the cabs are busy, and because of this, some who are presently employed may have to be released. Some complaints are coming in with regard to time service on the vehicles following calls and prior to pick-up. He said it is hoped that after the first of the year, after the vehicles have been delivered, that five of the best drivers may be selected to be responsible for their own vehicle. Various other steps will be taken to improve the system.

✓ Vice-Mayor Denton suggested that Council approach the County of Rockingham, and work with them in a joint effort concerning carriage of water from Rawley Springs into the City. Mayor Erickson agreed this was a good idea, and noted that if the County can finance Dam 82, this will ensure the greater Harrisonburg-Rockingham County area water for many years to come. He gave assurance that Council would keep in touch regarding this joint venture.

There being no further business, the meeting adjourned at 11:05 P.M.

N. Perkins Loken
CLERK

Ray Erickson
MAYOR

Tuesday, December 28, 1976

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, Vice-Mayor E. Warren Denton, Jr., Councilmen Walter F. Green, III, Elon W. Rhodes, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- Clerk N. Arlene Loker and Councilman Raymond C. Dingledine, Jr. Sitting in for the Clerk, Assistant City Manager Driver.

Minutes of the regular meeting held on December 14th were approved, copies of which had been received prior to this meeting.

A tape recording of this meeting will be turned over to the Clerk for preparation in minute form.

Mr. Robert Sterrett, Executive Vice-President of the Harrisonburg-Rockingham Chamber of Commerce, expressed appreciation for Council's support during this year, noting that they look forward to the same kind of relationship in 1977.

✓ City Manager Milam presented and read a resolution adopted by the Harrisonburg-Rockingham Chamber of Commerce on October 22nd, requesting that both the City and County revise their ordinances dealing with solicitation in that the two are in conflict with each other, making enforcement difficult. Revisions would make them consistent with each other and bring the ordinances in conformity with state and federal laws. Vice-Mayor Denton moved that Council acknowledge receipt of the resolution and refer the matter to the City Attorney for an investigation of the City's present ordinance as to bringing it into conformity with state and federal laws as requested, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Councilmen present.

✓ City Manager Milam read correspondence dated December 20, 1976 from Mr. Bill V. Neff, requesting necessary action by Council with regard to water pressure east of the City in the Sheraton Inn - K Mart area, in order to serve approximately forty stores under a long range development by Neff Enterprises. The City Manager said it is felt that a pumping station should be constructed along Country Club Road in that water pressure drops at K-Mart store which is on a higher elevation. He noted that the City has a 12" line on Country Club Road. He requested that Council allow the Water Department to develop plans and specifications, perhaps by an engineering firm, at least to where a contract could be let, after which time further details could be discussed and worked out with Mr. Neff, including share of cost, etc. Manager Milam explained that the City's policy is for any developer extending a water line outside the corporate limits to pay 100% but noted that in this particular case, the pumping station may serve more than the requestor. When questioned as to whether or not the City's personnel could prepare plans and specifications, the City Manager said it would be better to have an outside firm do this, which would give the City contractor's prices to negotiate with, rather than our own. Vice-Mayor Denton moved that the matter be referred to the Water Department with authorization for it to proceed, as requested, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

✓ For Council information, City Manager Milam reported that he had received two copies of a notice from the United States District Court concerning the W. T. Grant bankruptcy hearing. City Attorney Lapsley said this was simply of a hearing to consider applications for allowances in the case, among which the City of Harrisonburg's claim would be included.

City Manager Milam stated that a number of letters had been received from members of various Boards & Commissions of the City, and others, expressing appreciation for turkeys which were given at Christmas

time. He noted that more than 300 turkeys were distributed this year to City employees, and others.

✓ For information, a communication from Mr. Ray Sonner, Vice-President of Public Affairs, Madison College, was read by the City Manager. Appreciation was expressed for Council's resolution supporting Madison's effort to obtain name change to James Madison University, in the 1977 General Assembly.

✓ For information, the City Manager told Council he had received a mailgram today from the CETA contract supervisor, authorizing the City to continue present CETA employees under Title II, and Title II, TQ funds, a contract for which will be received. He noted that of the 41 authorized positions under the program, Harrisonburg has 38 filled.

✓ Mr. Joseph Schur, Senior Planner for the Planning District VI Comprehensive Mental Health Center Planning Grant, appeared before Council to report on the Mental Health Planning project, with regard to its determining services which are being provided, areas of special need, etc. He pointed out that the purpose of the project is to advise as many people as possible through advisory groups concerning critical areas as well as to add more services and group others together. A proposal will be presented later for Council's consideration which will include figures for financing. Council was asked to be thinking of names of individuals to serve on the area advisory group, with no limit as to number submitted. Mayor Erickson expressed appreciation for the progress report and assured Mr. Schur that Council would follow up on the matter.

✓ Mrs. Mary Bradshaw, Coordinator of the Chapter 10 Board, was present in the meeting to request that a surplus of \$ 1,424.69 for the Massanutten Mental Health Clinic, and \$ 137.00 for Administration of the Chapter 10 Board from the 1975-76 fiscal year, be retained by the Board for local use. It was pointed out that adequate psychiatric coverage is needed and that negotiations have been made with the retiring Director of Western State Hospital to provide these services three days per week beginning 1/1/77, which will require an increase in the Board's budget. Mrs. Bradshaw reminded Council also of a previous request for use of the Sipe Building to house both the Massanutten Mental Health Clinic and the Chapter 10 Board, and again stressed the need for additional space in order to provide better services. Moving of the facilities would mean added expense. Following a brief discussion, Councilman Rhodes moved that the Chapter 10 Board be permitted to retain the surplus amounts, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present. Mayor Erickson said that no decision could be made at this time concerning use of the Sipe building.

✓ The City Manager read a public meeting notice which was published in the Daily News Record newspaper by the Planning Director for a scheduled meeting on December 22nd, concerning a proposed application to be filed in January, 1977 for Federal Community Development Block Grant Funds, primarily for the provision of decent housing and suitable living environment and expanding economic opportunities, particularly for persons of low and moderate income. He informed Council that a pre-application filed in January would have to be approved, prior to filing of final application around May of 1977. The City of Harrisonburg has received two block grants thus far, namely: (1) for Community Activities Center, and (2) Kavanaugh Hotel block. Manager Milam said that this public meeting held by Council, same as the one on Dec. 22nd by the Planning Commission, affords citizens an opportunity to express their views and interest re: urban rehabilitation activities that should be undertaken by the City in conjunction with Federal Block Grant Funds. Council was told that City staff people have prepared Phase II application for rehabilitation in the Kavanaugh Hotel block since the amount of \$ 525,000. is insufficient for carrying out the project, along with figures for demolition costs, etc. Following discussion, it was agreed that the City Manager be authorized to submit pre-application forms, assurances, and letters of transmittal.

✓ In as much as a motion had been adopted at the last regular meeting of Council to allocate an estimated amount of \$ 90,000. from a Reserve for Future Construction projects for improvement of downtown sidewalks and pedestrian mall, the City Manager presented a prepared appropriation form in amount of \$ 90,000. to be considered for a first reading. He noted that the funds would be used for concrete and other materials for sidewalks, covered walkway from parking deck to Court Square, as well as for acquisition of the Hoover property in that area. A complete report will be presented at the next regular meeting concerning appraisals, negotiations with banks, and architect's plan for the walkway. Following discussion, Councilman Rhodes moved that the appropriation be approved for a first reading, and that:-

\$ 90,000. chgd.to: General Fund- Reserve for Future Construction Projects.

90,000. approp.to: General Fund (10110-77.12) St.Inspect.- Capital Outlay-
Work in Progress- Pedestrian Mall.

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

✓ City Manager Milam informed Council that Councilman Dingledine had requested that an appropriation in amount of \$ 23,180.00 for operation of the Community Activities Center (7 month period) not be placed on this evening's agenda, in that he would be out of the City. This portion of the proposed budget had been deferred at previous meetings pending adjustment of various items to reduce the total figure.

✓ Vice-Mayor Denton moved that an appropriation in the amount of \$ 17,353.68 requested by the Recreation Director in order to establish an office for Valley Program for Aging Services for period December 1, 1976 to September 30, 1977, be approved for second and final reading, a first reading having been approved on December 14, and that:-

\$ 17,353.68 chgd.to: General Fund (1005.00) Recoveries & Rebates.

17,353.68 approp.to: General Fund (11028)

Price Rotary Center VPAS (as follows)

\$ 6,892.31 (11.00) Director

4,827.10 (11.01) Driver/Janitor

710.87 (211.00) Gas, oil, tires, etc.

350.00 (212.00) Materials and Supplies

478.82 (240.00) Communications

400.00 (274.00) Auto Equip., Maint. & Repairs

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\$ 1,000.00 (290.00) Rents and Leases
 450.00 (330.00) Travel
 1,517.75 (361.00) Electricity
 50.00 (362.00) Sewer
 30.00 (363.00) Water
 646.83 (390.00) Other Operating Expenses

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

✓ Councilman Rhodes moved that a request from Assistant City Manager to transfer Title II, and Title II, TQ funds in amount of \$ 12,180.45 for the months of August, September and October, 1976 into the proper accounts, be approved for a second and final reading, a first reading having been approved on December 14th, and that:-

\$ 12,180.45 chgd.to: General Fund (1005.00) Recoveries & Rebates.
 1,875.46 approp.to: General Fund (11020-12.01) Rec.-Wages-Rec.Supvr.- Title II
 985.69 approp.to: General Fund (11020-12.02) Rec.-Wages- Athl.Instr.- Title II
 909.03 approp.to: General Fund (11020-12.03) Rec.-Wages- Sec.Officer- Title II
 633.89 approp.to: General Fund (11020-12.04) Rec.-Wages- Maint.Man- Title II
 1,575.63 approp.to: General Fund (11020-12.50) Rec.-Wages- Rec. Instr.- Title II, TQ
 2,296.94 approp.to: General Fund (11020-12.51) Rec.-Wages- Park Maint.- Title II, TQ
 1,296.31 approp.to: General Fund (11020-12.52) Rec.-Wages- Janitor- Title II, TQ
 489.38 approp.to: General Fund (11020-12.53) Rec.-Wages- Clerk Typist- Title II, TQ
 408.00 approp.to: General Fund (11020-12.54) Rec.-Wages- Act.Dir.- Title II, TQ
 928.52 approp.to: General Fund (11020-12.55) Rec.-Wages- Ground Maint.-Title II, TQ
 781.60 approp.to: General Fund (11020-12.56) Rec.-Wages- Tree Trim.-Title II, TQ

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

✓ Councilman Rhodes moved that an appropriation in the amount of \$ 7,637.21 requested by Assistant City Manager Driver in order to transfer Title II, and Title II, TQ funds for the months of August, September and October, 1976 to the proper accounts, be approved for second and final reading, a first reading having been approved on December 14th, and that:-

\$ 7,637.21 chgd.to: General Fund (1005.00) Recoveries & Rebates.
 2,019.66 approp.to: General Fund (10110-12.01) St.Inspect.-Wages-Laborers- Title II
 3,691.07 approp.to: General Fund (10110-12.50) St.Inspect.-Wages-Laborers- Title II, TQ
 1,926.48 approp.to: General Fund (10110-12.51) St.Inspect.-Wages- Equip.Mech.-Title II, TQ

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

✓ Councilman Rhodes moved that an appropriation in the amount of \$ 7,107.29 requested by Assistant City Manager Driver in order to transfer Title II and Title II, TQ funds for the months of August, September and October, 1976 to proper accounts, be approved for second and final reading, a first reading having been approved on December 14th, and that:-

\$ 7,107.29 chgd.to: General Fund (1005.00) Recoveries & Rebates.
 1,867.11 approp.to: General Fund (9010-12.01) Police-Wages- Tr.Cntrl.-Title II
 5,240.18 approp.to: General Fund (9010-12.50) Police-Wages-Patrolman- Title II, TQ

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

✓ Councilman Rhodes moved that an appropriation in the amount of \$ 6,521.79 requested by Assistant City Manager Driver in order to transfer Title II and Title II, TQ funds for the months of August, September and October, 1976 to proper accounts, be approved for a second and final reading, a first reading having been approved on December 14th, and that:-

\$ 6,521.79 chgd.to: General Fund (1005.00) Recoveries & Rebates.
 6,521.79 approp.to: General Fund (9020-12.50) Fire-Wages-Fireman- Title II, TQ

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

✓ Councilman Rhodes moved that an appropriation in the amount of \$ 3,977.76 requested by Assistant Manager Driver in order to transfer Title II, TQ funds for the months of August, September and October, 1976 to proper accounts, be approved for second and final reading, a first reading having been approved on December 14th, and that:-

\$ 3,977.76 chgd.to: General Fund (1005.00) Recoveries & Rebates.
 3,977.76 approp.to: General Fund (4040-12.50) Purchasing Agent-Wages-Title II, TQ

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

✓ Councilman Rhodes moved that an appropriation in the amount of \$ 1,597.63 requested by Assistant City Manager Driver in order to transfer Title II, TQ funds for the months of August, September and October, 1976 to proper accounts, be approved for second and final reading, a first reading having been approved on December 14th, and that:-

\$ 1,597.63 chgd.to: General Fund (1005.00) Recoveries & Rebates.
 1,597.63 approp.to: General Fund (6015-12.50) Police Court-Wages- Title II, TQ

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

✓ Vice-Mayor Denton moved that an appropriation in the amount of \$ 12,033.26 requested by the School Board office in order to appropriate funds received from CETA Act, Title II, TQ for quarter ended 9/30/76, be approved for second and final reading, a first reading having been approved on December 14, and that:-

\$ 12,033.26 chgd.to: School Fund (r-28A) Receipts from Fed.Funds- Other Fed.Funds, CETA
 1,631.07 approp.to: School Fund (1200-135.50) Admin.Comp.- Secretaries- CETA
 1,861.45 approp. to: School Fund (1201-109.50) Other Inst. Costs-Comp.Teach'r Aids- CETA

\$ 1,597.14 approp.to: School Fund (1201-109.51) Other Inst.Costs-Comp.Clerical- CETA
 5,396.58 approp.to: School Fund (1201-134.50) Day Sch.Instr.-Comp.Teachers- CETA
 1,547.02 approp.to: School Fund (1205-229.50) Oper.Sch.Plant- Comp.-Custodian- CETA

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

✓ The City Manager presented a request from the Recreation Director for approval of a supplemental appropriation in the amount of \$ 200. in order to transfer monies received from Valley Program Aging Services for rent of Harrisonburg Senior Center for months of October and November, 1976. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved, and that:-

\$ 200. chgd.to: General Fund (1005.00) Non-Rev.Receipts, Recoveries & Rebates.

200. approp.to: General Fund (11020-390.00) Parks & Recreation- Other Oper.Expenses.

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

✓ Mayor Erickson, a member of the Shenandoah Valley Airport Commission, reported that good progress is being made in the last two phases of the overall plan for the airport. At the present time they are moving a lot of land to make a southwest taxiway which will be macadamized and will leave space for general aviation to build hangars for protection of planes and equipment from the elements. Also, an overlay of the present runway is being completed to withstand the load of jet planes which will possibly be in use by the year 1980. The runway will be extended approximately 800', maximum distance for jet landing. The report was for information.

Council agreed to postpone appointments to various Boards & Commissions until all Councilmen were present. A suggestion was made by the Mayor that Mr. Sandy MacKenzie, an interested citizen and resident of southwest Harrisonburg, be considered for appointment to a commission when action is taken.

✓ City Manager Milam presented an application from Mr. Goldie Robinson, T/A Robinson's Taxi, for a certificate of Public Convenience & Necessity to operate one vehicle in the City during the calendar year 1977. He informed Council that Chief of Police Presgrave checked the vehicle and found it clean and in good mechanical condition. Vice-Mayor Denton moved that the application be approved and the Clerk instructed to send the certificate to Mr. Robinson and city officials concerned in the matter, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Council.

Councilman Green entered the meeting and was recorded present.

✓ Attorney Franklin Blatt was present in the meeting on behalf of his clients, Messrs. David McDaniel and Lawrence Leake, to request approval of Council for a dance permit at their facility located at 29-33 S. Liberty St., known as Gatsby's. Plans had been presented at the last regular meeting by Mr. Blatt along with a verbal description of the facility and operation of same. A 16' x 16' dance floor with band stand will be provided. Mayor Erickson said he was impressed with the presentation, particularly from the standpoint of compliance with the City's building and fire requirements, and asked Council's wishes concerning the request. Councilman Rhodes moved that a dance license for Gatsby's be approved, which motion upon being seconded by Councilman Green, was adopted by a majority vote of Councilmen present. Vice-Mayor Denton abstaining.

✓ City Manager Milam read the following recommendation submitted by the Planning Director from a meeting of the Commission held on December 15, 1976:-

"...The Director read a letter dated December 6, 1976 from Mr. Steven Weaver, attorney for Ralph Cline and Frank Cline & Son, Inc., which included a proposed Agreement regarding a 10' strip of land along West Gay Street and the requested closing of a 10' alley.

Mr. Sullivan reported that Messrs. Cline, Weaver, Driver and himself had met on December 2nd to review the City's and Planning Commission's concerns for an equitable exchange, and the proposed Agreement does cover the desires of both parties. One addition has been suggested by Mr. Driver in item #3 (see underlined words in attached copy of the proposed Agreement).

Messrs. Cline and Weaver concurred in the addition to item #3 and Mr. Milam reminded the Commissioners that if the 10' alley is closed, an easement will be drawn up for the City's existing sewer line which runs down the alley and across some of Mr. Cline's lots. He added that the donation by Mr. Cline of the 10' strip along West Gay Street will not occur until the old building facing Gay Street is demolished or destroyed.

Mr. Milam offered a motion for the Planning Commission to recommend that City Council appoint a Board of Viewers regarding Mr. Cline's alley closing request, and that the proposed Agreement be signed if the Board of Viewers recommends closing the 10' alley. Mrs. Bowman seconded the motion. Commissioners voting in favor: Mr. Milam, Mrs. Bowman, Mr. Denton, Dr. Shank, and Mr. Gilkeson. Abstaining: Mr. Williams. Voting against: none..."

Assistant City Manager Driver informed Council that Mr. Cline was hesitant in conveying the 10' strip to the City while an old building facing Gay Street stands, which accounted for the stipulation in the recommendation. He noted further that Frank Cline & Son, Inc., will give the City an easement for the sewer line which is located in the area requested for closing or will relocate the sewer line at their expense, should they ever rebuild. Following discussion, Councilman Green moved that the recommendation be accepted and the following be appointed to serve as a Board of Viewers: Mr. P.H. Hardy, Mr. T. H. Lowery, and Mrs. John H. Byrd, Sr., which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Councilmen present.

✓ The following recommendation submitted by the Planning Director from a Commission meeting held on December 15, 1976 was read by the City Manager:-

"...The Director presented a proposed Deed which will convey a 15' alley to the City if accepted. The Trustees of Rockingham Union Lodge No. 27 A.F.

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and A.M. desire to give the alley between Newman Ave. and East Water St., located immediately east of the Masonic Building and Keezle Building, to the City provided the City will maintain the alley as a public passageway, pave it, and see that it is well lighted and kept open and free from obstruction and parking except for loading and unloading.

Dr. Shank asked if we would be treating this alley any differently from other public alleys. Mr. Milam explained that no special or unusual features are included in the Deed, and acceptance of this alley will fit in with overall downtown renovation plans.

Mr. Victor Smith, member of the Lodge, explained to the Commissioners that his group cannot police the alley regarding parking violations, whereas the City can.

Mr. Milam offered a motion for the Planning Commission to recommend to City Council that the City accept the alley as offered in the Deed drawn up by the Trustees of Rockingham Union Lodge. No. 27 A.F. & A.M. Dr. Shank seconded the motion and all members present voted in favor..."

The City Manager called Council's attention to the last paragraph in the deed stating that: "the City covenants that it will maintain the alley herein conveyed as a public passageway with Rockingham Union Lodge No. 27 reserving the right to exit from the rear of its building onto and across the alley, and further, that the alley will be paved, maintained and kept in good condition and well lighted by the City and will be kept open and free from obstruction and parking except for loading and unloading of vehicles." Following discussion, Councilman Rhodes moved that the Planning Commission's recommendation be approved, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.

✓ Manager Milam presented a proposed contract between the City's Public Transportation Department and the State Health Department for furnishing transportation for authorized recipients of the Virginia Medical Assistance Program. He informed Council that the Health Department was desirous of such a contract in that the City had purchased the two former taxicab companies and in order to continue services rendered the department by both City and Yellow Cabs. He explained that a fixed amount would be charged for patients, with cost per mile, etc. set out in the contract. An itemized bill would be prepared each month by the City and submitted to the Health Department for payment. The City Manager recommended that the City enter into the Agreement, and noted that it could be cancelled by either party by a 30-day notice. Following discussion, Vice-Mayor Denton moved that the contract be approved, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Councilmen present.

✓ City Manager Milam presented and read the following proposed resolution submitted by the Virginia Department of Highways, approval of which is necessary prior to their receiving bids on the S. Main St. project (Monument Ave. to Grattan St.) anticipated for early spring of 1977:

WHEREAS, the Highway Department proposed to construct or otherwise improve a section of roadway from 0.037 miles south of the intersection of Monument Avenue to the intersection of Grattan Street designated as Highway Project 0011-115-101, RW-201, C-502; and

WHEREAS, the City Council is responsible for making arrangements for the adjustment and/or relocation of certain utilities and for the installation of any new facilities:

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Harrisonburg hereby certifies that all arrangements have been made or will be made for the relocation and/or adjustment of said utility facilities, and for the installation of any new facilities. In the event of any justifiable claims from the road contractor for delays or interference caused by said utilities, the City of Harrisonburg hereby agrees to be responsible for said claims, provided it may legally do so and further provided that the City is advised in writing by the Highway Department at the time of delay that the road contractor intends to file a claim.

Said utilities are identified as follows:

<u>UTILITY OWNER</u>	<u>TYPE OF FACILITY</u>
Harrisonburg Electric Commission	Electric
Continental Telephone Co. of Virginia	Communication
Columbia Gas	Gas
City of Harrisonburg	Water and Sewer
Warner Cable Television	Cable TV

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Clerk

Mayor

Assistant City Manager Driver explained that although the Highway Department holds the City responsible for all utilities, the City signs a sub-contract with each of the utility companies, setting forth its responsibilities. Vice-Mayor Denton moved that the resolution be approved with proper City Officials authorized to sign the same, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

✓ A proposed Agreement between the Continental Telephone Co. and the City of Harrisonburg for adjustment of aerial facilities on the Cantrell Avenue project was read by the City Manager. He explained that the company is willing to assume 89% of the total cost of \$ 2,710.00, leaving a balance of \$298.00 to be paid by the municipality, as set forth in the agreement, funds for which are available in the Cantrell Avenue project. After briefly discussing the matter, Vice-Mayor Denton moved that the agreement be approved and signed on behalf of the City, which motion upon being seconded by Councilman Rhodes, was adopted by a unanimous vote of Councilmen present.

✓ Vice-Mayor Denton reminded Council of the fact that the multi-purpose gymnasiums at the Keister and Spotswood Schools were constructed with the idea of community use for recreation, and expressed concern

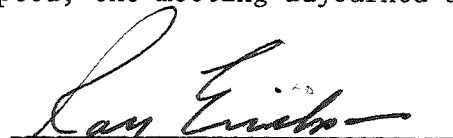
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that the facilities are closed during this two week holiday vacation from schools. He pointed out that this had been discussed by the Planning Commission and Council, as well as with the Recreation Commission and School Board two years ago when the project was getting underway for construction of the gyms, and said it was his feeling at that time that all concerned were in favor of using the facilities. Council was asked what could be done to remedy the situation. The City Manager said he had referred several calls to the School Superintendent in that it was not his responsibility to determine hours for school facilities to be open. Councilman Rhodes stressed the necessity of Council getting the School Board and Recreation Commission together to discuss the matter. The City Manager was asked to contact school and recreation officials for written explanation, and hopefully, to resolve the situation.

There being no further business and on motion duly adopted, the meeting adjourned at 9:15 P.M.


CLERK


MAYOR