

REGULAR MEETING

JULY 28, 1998

At a regular meeting of Council held this evening at 7:30 p.m., there were present: Mayor Rodney Eagle; City Manager Steven E. Stewart; Assistant City Manager Roger Baker; City Attorney Earl Q. Thumma, Jr.; Vice-Mayor Hugh J. Lantz, Council Member John H. Byrd, Jr., Walter F. Green, III, and Larry M. Rogers; City Clerk Yvonne Bonnie Ryan, CMC, and Chief of Police Donald Harper.

Vice-Mayor Lantz delivered the invocation and Mayor Eagle led everyone in the Pledge of Allegiance.

Council Member Rogers offered a motion to approve the consent agenda, including approval of the minutes and the second reading of an ordinance amending and re-enacting Section 4-2-77, 4-2-87, E-911 tax, and enacting Section 4-2-66.1, Article H, Chapter 2, Title 4 of the Harrisonburg City Code. The motion also included the second reading for supplemental appropriations for the Police Department, a DMV grant, and interest earned on the road improvement bonds. The motion was seconded by Council Member Green, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Rogers

Vice-Mayor Lantz

Council Member Green

Council Member Byrd

Mayor Eagle

No - none

City Manager Stewart presented a suggestion from the Virginia Municipal League to participate in a "Virginians to Virginians" program. He explained that this program would provide for a formal link between communities with similar interests, problems, etc. The Town of Blacksburg and the City of Charlottesville has expressed an interest in participating with the City of Harrisonburg in this program. It would involve contact between the jurisdictions during the year with perhaps one visit a year and sharing information with each other. Vice-Mayor Lantz offered a motion to participate in this program. The motion was seconded by Council Member Byrd, and approved with a unanimous vote of Council.

City Manager Stewart presented for Council's consideration of a first reading an ordinance amending and re-enaction Section 13-1-3 of the Harrisonburg City Code. He explained that each year Council is asked to amend this ordinance to adopt the state motor vehicle laws. Council Member Green offered a motion to approve this ordinance for a first reading. The motion was seconded by Council Member Rogers, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Rogers

Vice-Mayor Lantz

Council Member Green

Council Member Byrd

Mayor Eagle

No - none

City Manager Stewart presented a request for a supplemental appropriation of funds encumbered at June 30, 1998. He said these funds are for goods and services that were committed out of last year's budget but for a variety of reasons the goods and/or services were not delivered by June 30th. Council Member Rogers offered a motion to approve this request for a first reading, and that:

\$357,566.72 chge. to: 1000-31010 Amount from fund balance

112,363.00 chge. to: 1000-32522 Fire Training Building

\$ 8,214.32 approp. to: 1000-121313-48211 Machinery and equipment

66,620.00 approp. to: 1000-121012-48141 Assessment software

2,320.00 approp. to: 1000-310131-46100 Police supplies

4,089.60 approp. to: 1000-310131-48131 Radio equipment

9,147.50 approp. to: 1000-320132-43350 Maintenance & repair - Auto equipment

112,363.00 approp. to: 1000-320132-48183 Fire training grounds

1,256.00 approp. to: 1000-350532-46140 Other operating supplies

2,250.00 approp. to: 1000-410121-48274 Geographic Information System

2,578.32 approp. to: 1000-430221-48181 Buildings and grounds

87,805.00 approp. to: 1000-410241-48151 Motor vehicles and equipment

8,972.50 approp. to: 1000-410241-48296 WIP-Cantrell Avenue

39,945.22 approp. to: 1000-410741-48297 WIP-West Market Street

71,480.00 approp. to: 1000-410741-46070 Repairs & maintenance supplies

7,255.71 approp. to: 1000-410741-48111 Machinery and equipment

289.80 approp. to: 1000-710171-43710 Uniform maintenance contract

471.20 approp. to: 1000-710171-46132 Ed/rec supplies - Athletics

1,007.94 approp. to: 1000-710171-46150 Merchandise for sale

36,436.00 approp. to: 1000-710171-48184 Improvements

66.50 approp. to: 1000-710471-43710 Uniform maintenance contract

171.42 approp. to: 1000-710471-43720 Laundry and dry cleaning

5,786.89 approp. to: 1000-710571-43360 Maint. & repair - Buildings & grounds

33.25 approp. to: 1000-710571-43710 Uniform maintenance contract

1,369.55 approp. to: 1000-710771-46180 Chemicals

The motion was seconded by seconded by Vice-Mayor Lantz, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Rogers

Vice-Mayor Lantz

Council Member Green

Council Member Byrd

Mayor Eagle

No - None

City Manager Stewart presented a request for a supplemental appropriation for the Police Department. He explained that these funds from a grant will be used to purchase new radio equipment and forensic equipment. Vice-Mayor Lantz offered a motion to approve this request for a first reading, and that:

\$13,257.00 chge. to: 1000-31010 Amount from fund balance

\$ 9,876.33 approp. to: 1000-310131-48231 Radio Equipment

3,380.67 approp. to: 1000-310131-48211 Machinery & Equipment

The motion was seconded by Council Member Rogers, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Rogers

Vice-Mayor Lantz

Council Member Green

Council Member Byrd

Mayor Eagle

No - None

Commissioner of Revenue Hosaflook explained that she had received a request for a tax refund from Owens-Brockway Plastic Container Company because of an erroneous assessment. She said that the company on December 31, 1997 submitted an amended return for machinery and tools for tax years 1994 through 1997. They issued the return because Owens-Brockway had failed to report equipment that they had retired and had been removed from the plant in the City. She reported that the City will refund \$37,329.02 to Owens-Brockway and that she has prepared four certificates of erroneous assessment for each of the four years.

Police Chief Harper presented the following proclamation for Council's consideration of approval:

NATIONAL NIGHT OUT 1998

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug and violence prevention program on August 4, 1998 called "National Night Out; and

WHEREAS, the "15th Annual National Night Out" provides a unique opportunity for THE CITY OF HARRISONBURG to join forces with thousands of other communities across the country in promoting cooperative, police-community crime and drug prevention efforts; and

WHEREAS, THE CITY OF HARRISONBURG NEIGHBORHOODS play a vital role in assisting the HARRISONBURG POLICE DEPARTMENT through joint crime, drug and violence prevention efforts in THE CITY OF HARRISONBURG and are supporting "National Night Out 1998" locally; and

WHEREAS, it is essential that all citizens of THE CITY OF HARRISONBURG be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs and violence in THE CITY OF HARRISONBURG; and

WHEREAS, a police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program;

NOW, THEREFORE I, MAYOR OF THE CITY OF HARRISONBURG, do hereby call upon all citizens of HARRISONBURG to join HARRISONBURG POLICE DEPARTMENT and the National Association of Town Watch in supporting the "15th Annual National Night Out" on August 4, 1998.

FURTHER, LET IT BE RESOLVED THAT, I MAYOR OF THE CITY OF HARRISONBURG, do hereby proclaim *Tuesday, August 4, 1998* as "NATIONAL NIGHT OUT" in the CITY OF HARRISONBURG

Date

Mayor of the City of Harrisonburg

Chief of Police of the City of Harrisonburg

Police Chief Harper explained that this proclamation will proclaim August 4, 1998 as national Night Out 1998 in the City of Harrisonburg. It is a cooperative agreement between the Police Department and the

Neighborhood Watch groups. Neighborhoods will be encouraged to turn their porch lights on, conduct outside activities and join forces with thousands of other communities across the country in promoting cooperative, police-community crime and drug prevention efforts.

Bruce Gray

complained to City Council that numerous traffic accidents have occurred between the time the traffic light at University Boulevard and Reservoir Street has been set to flash. He requested that the traffic light be placed on a permanent stop and go cycle to prevent further accidents and near accidents. Mayor Eagle noted that his request will be considered.

At 7:45 p.m., Council Member Rogers offered a motion that Council enter an executive session for discussion and consideration of personnel and prospective candidates to be appointed to the Social Services Advisory Board, exempt from public meeting requirements pursuant to Section 2.1-344(A)(1) of the Code of Virginia. Discussion and consideration of the acquisition of real estate to be used for public purposes, exempt from public meeting requirements pursuant to Section 2.1-344(A)(3) of the Code of Virginia, 1950, as amended. Consultation with the City Attorney requiring the provision of legal advice by the City Attorney, exempt from public meeting requirements pursuant to Section 2.1-344(A)(7) of the Code of Virginia, 1950, as amended. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council Members.

At 9:25 p.m., the executive session was declared closed and the regular session reconvened. The following statement was agreed to with a unanimous recorded vote of the Council: I hereby certify to the best of my knowledge and belief that (1) only public matters lawfully exempt from open meeting requirements pursuant to Chapter 21 of title 2.1 of the Code of Virginia, 1950, as amended, and (2) only such public business matters as were identified in the motion by which the executive or closed meeting were convened, were heard, discussed or considered in the executive session by the City Council.

At 9:30 p.m., there being no further business and on motion adopted the meeting was adjourned.

CLERK

MAYOR