

REGULAR MEETING

SEPTEMBER 8, 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.

Council Member Rogers 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 several supplemental appropriations for the Police Department and land purchase. The motion was seconded by Vice-Mayor Lantz, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Green

Council Member Rogers

Council Member Byrd

Vice-Mayor Lantz

Mayor Eagle

No - None

Planning and Community Development Director Turner introduced a request by Harris Fox, Inc. to close and vacate a .1385 acre portion of Moore Street. She explained that if this vacation is approved, then the developer of the Beacon Hill Subdivision proposes to purchase the area and use it for the Beacon Hill Subdivision. The developers have purchased the properties on either side of this right-of-way; therefore, no public streets access will be blocked to any other property owners. If this portion of Moore Street is vacated, the Public Utilities department will require a twenty-foot wide exclusive water easement be provided in an acceptable location within the closed right-of-way to provide future water service to surrounding lots. She said that Planning Commission recommended approval of the request.

At 7:37 p.m., Mayor Eagle closed the regular session temporarily and called the evening's public hearing to order. The following notice appeared in the Daily-News Record on Saturday, August 29, and Saturday, September 5, 1998.

NOTICE OF INTENTION TO VACATE A PORTION OF MOORE STREET IN THE CITY OF  
HARRISONBURG

City Council Chambers

Tuesday, September 8, 1998

O:30 p.m.

The Harrisonburg City Council will hold a public hearing on Tuesday, September 8, 1998 at 7:30 p.m., in the City Council Chambers, Municipal Building, 345 South Main Street, Harrisonburg, Virginia, to consider an application to vacate an underdeveloped portion of Moore Street, in the City of Harrisonburg.

A request of Harris Fox, Inc. to vacate a portion of Moore Street, consisting of 3,944 square feet, that is located on the east side of North Main Street, in the City of Harrisonburg.

A copy of the recommendation of the City Planning Commission along with a copy of a plat showing the portion of the street to be vacated are available at the Community Development Department, 409 South Main Street, Monday through Friday, 8:30 a.m. to 5:00 p.m.

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

#### CITY OF HARRISONBURG

Steven E. Stewart,

City Manager

Mayor Eagle called on anyone desiring to speak for or against closing a portion of Moore Street.

#### Steve Weaver

, attorney representing the owner and petitioner, said that this street is only 30 feet wide and does not extend into a cul-de-sac, it does not meet any criteria for a City street, nor does it connect to anything. Mr. Weaver requested that City Council not appoint a Board of Viewers and he reviewed and presented letters from the two adjoining property owners stating their support in vacating a portion of this street. There being no others desiring to be heard, the public hearing was declared closed at 7:39 p.m., and the regular session reconvened. Council Member Rogers offered a motion to approve closing a portion of Moore Street for a first reading. The motion was seconded by Council Member Byrd, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Green

Council Member Rogers

Council Member Byrd

Vice-Mayor Lantz

Mayor Eagle

No - None

Police Chief Harper presented the following resolution for Council's consideration of approval.

### **RESOLUTION**

WHEREAS, the Central Shenandoah Criminal Justice Training Center was originally organized in 1973 on

the campus of Blue Ridge Community College to provide basic and in-service training for law enforcement personnel, and

WHEREAS, the Training Center now serves more than 70 criminal justice agencies serving more than 50 political subdivisions and localities, and

WHEREAS, the Training Center's membership has remained stable and reasonably constant over many years, and

WHEREAS, the Training Center has moved on two previous occasions because it has outgrown the space available to it, and

WHEREAS, the Training Center is now in need of a new physical plant that will allow it to continue to provide quality criminal justice training on a cost-effective basis to its members, and

WHEREAS, the General Assembly has in recent years amended the Virginia Code to allow a regional criminal justice training academy to incur indebtedness without obligating a member governmental unit, and

WHEREAS, the Training Center's charter needs to be revised and reconstituted as the Central Shenandoah Criminal Justice Training Academy;

NOW THEREFORE, BE IT RESOLVED by the Mayor of the City of Harrisonburg, Virginia, pursuant to Virginia Code § 15.2-1747, that the Charter of Central Shenandoah Criminal Justice Training Academy, a copy of which is attached to this Resolution and incorporated herein by reference, be and it is hereby ADOPTED, and said governmental unit joins as a member of this Academy formed for the principal purpose of establishing and conducting criminal justice training and education for criminal justice personnel.

This Resolution shall become effective upon adoption, and the Clerk is directed to forward an attested copy to the Executive Director, Central Shenandoah Criminal Justice Training Academy, 211 12th Street, Waynesboro, Virginia 22980.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 1998.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Title

Attest:  
\_\_\_\_\_

Clerk

Police Chief Harper explained that by adopting this resolution, City Council will be supporting a Charter change to the academy. He said that the Charter is changing its name from Central Shenandoah Criminal Justice Training Center to the Central Shenandoah Criminal Justice Training Academy. He also said that the Virginia State Code allows a regional criminal justice training academy to incur indebtedness without

obligating a member governmental unit. Vice-Mayor Lantz offered a motion to adopt this resolution. The motion was seconded by Council Member Rogers, and approved with a unanimous vote of Council.

City Manager Stewart stated that the Virginia Municipal League Conference has been scheduled for October 4-6, 1998. Council Member Rogers offered a motion naming Mayor Rodney Eagle as the voting delegate and Vice-Mayor Hugh Lantz as the alternate delegate. The motion was seconded by Council Member Byrd, and approved with a unanimous vote of Council.

City Manager Stewart presented a request for a supplemental appropriation for the Police Department. He explained that these funds will reimburse the Police Department for equipment purchases for bike safety and child safety check point grants. Vice-Mayor Lantz offered a motion to approve this request for a first reading, and that:

\$1,967.49 chge. to: 1000-32520 DMV Grant

\$1,967.49 approp. to: 1000-310131-46140 Other operating supplies

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

Vote: Yes - Council Member Green

Council Member Rogers

Council Member Byrd

Vice-Mayor Lantz

Mayor Eagle

No - None

At 7:45 p.m., Vice-Mayor Lantz 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, Community Services (Chapter 10) Board, Harrisonburg Redevelopment and Housing Authority, Building Code Board of Appeals, Parks and Recreation Commission, Harrisonburg Planning Commission, and Harrisonburg Electric Commission, and the evaluation of a City department, exempt from public meeting requirements pursuant to Section 2.1-344(A)(1) of the Code of Virginia. Consultation with the City Attorney and briefings by staff members pertaining to probable litigation, 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 Council Member Rogers, and approved with a unanimous vote of Council.

At 8:40 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 8:50 p.m., there being no further business and on motion adopted the meeting was adjourned.

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CLERK

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MAYOR