

REGULAR MEETING

SEPTEMBER 21, 1999

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 Green 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 amending Section 10-3-91, 10-3-26 and 10-3-25 of the Harrisonburg City Code. The motion was seconded by Council Member Green, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
 Vice-Mayor Lantz
 Council Member Green
 Council Member Rogers
 Mayor Eagle

Absent: None

City Manager Stewart presented for Council's consideration amending the Fiscal Year 1999-2000 budget. He explained that a public hearing is required when the budget is increased by more than \$500,000. Mr. Stewart briefly reviewed the amended items including money reserved in last year's budget for library construction, money for the Keister Elementary School renovation project, Friendship Industries Block Grant Construction project, the state's share of the Reservoir Street construction project, gas remediation at the landfill, and the City's share of County landfill costs.

Dr. Donald Ford, Superintendent of Harrisonburg City Schools, reported on the School Division's request for supplemental appropriations. He explained that the school division has received \$330,715 in unanticipated receipts from state and federal funds that were not known during the budget process. No additional local dollars are required from the City for the school division to receive these additional funds. He also requested that City Council appropriate from the school's undesignated fund balance \$161,130.87 to be used for the renovation at Keister Elementary School. Dr. Ford also presented the five-year Capital Improvement Plan from the school division. He explained that one difficulty the school board has every year is projecting enrollment when preparing the operating budget. This year enrollment was projected at approximately 3,610 students; however, enrollment is currently at 3,566 students including 550 ESL students. This represents an increase

of approximately 100 ESL students from last year. He reviewed the projected costs for Spotswood/Waterman renovations. The projected renovation project at Spotswood Elementary School would cost \$3,436,686 and the projected renovation project at Waterman Elementary School would cost \$2,296,407 for a total of \$5,733,093. It is the School Board's desire that City Council consider approval of the renovation for both schools simultaneously to begin in the spring or early summer of 2000. He reviewed the construction costs for the projects including available funding from the school division. He requested that City Council consider making a decision by November 1999. Discussion included estimated cost of additional heating/air-conditioning at Harrisonburg High School Field House, concern about operating budget increases, additional expenses of English as Second Language (ESL), personnel costs, and lottery funds available for construction. Council Member Rogers suggested that City Manager Stewart and Superintendent Ford meet with local government representatives to request additional school construction funds.

At 8:00 p.m., Mayor Eagle closed the regular session temporarily and called the evening's first public hearing to order. The following notice appeared in the Daily News-Record on Monday, September 13, 1999.

NOTICE OF PUBLIC HEARING

A public hearing will be held by the Harrisonburg City Council on Tuesday, September 21, 1999 at 7:30 p.m. in the City Council Chambers, 345 South Main Street, Harrisonburg, Virginia. The purpose of this public hearing will be to consider amending the City's 1999-2000 budget. This public hearing is being held pursuant to Commonwealth of Virginia Code Section §15.1-162.1. All persons interested will have the opportunity to express their views at the public hearing.

<u>Revenues - By Funds</u>	<u>1999-00 Proposed Amendments</u>
General:	
Reserved for library construction	\$900,000.00
School:	
Amount from fund balance	161,130.87
Revenue from the Commonwealth	30,000.00
Revenue from the Federal Government	300,715.00
Friendship Industries Grant:	
Va. Community Development Block Grant Funds	700,000.00
General Capital Projects:	
Reimbursement for street const.- VDOT	1,500,000.00
School Capital Projects:	
Transfer from School Fund	161,130.87
Sanitation Capital Projects:	
Loan proceeds	<u>1,378,026.00</u>
Total	<u>5,131,002.74</u>

Expenditures - By Funds

General:	
Library - Capital improvements	900,000.00
School:	
Instruction	300,715.00
Administration, attendance and health service	30,000.00
Transfer to School Capital Projects Fund	161,130.87
Friendship Industries Grant:	
Central Shenandoah Planning District	10,000.00
Friendship Industries	690,000.00
General Capital Projects:	
East Side Road Improvements	1,500,000.00
School Capital Projects:	
Renovation of elementary schools	161,130.87
Sanitation Capital Projects:	
City's share of county landfill expansion	1,273,144.00
City's share of county landfill gas remediation	<u>104,882.00</u>
Total	<u>5,131,002.74</u>

Any individual requiring auxiliary aids, including signers, in connection with the public hearing, shall notify the City Manager at least (5) days prior to the date of the meeting.

CITY OF HARRISONBURG
Steven E. Stewart
City Manager

Mayor Eagle called on anyone desiring to speak for or against amending the Fiscal Year 1999-2000 budget. There being no one desiring to be heard, the public hearing was declared closed at 8:01 p.m., and the regular session reconvened. Council Member Green offered a motion to approve amending the budget. The motion was seconded by Council Member Rogers, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Lantz
Council Member Green
Council Member Rogers
Mayor Eagle

Absent: None

City Manager Stewart presented for Council's consideration sale of real estate. He explained that bids were taken on the City property located on Cantrell Avenue and Ott Street on August 24, 1999. Before acting on the second reading, a public hearing must be held. City Attorney Thumma

said that he is working with Mr. Beatty's attorney to coordinate the vacation and selling of the property at one time.

At 8:02 p.m., Mayor Eagle closed the regular session temporarily and called the evening's second public hearing to order. The following notice appeared in the Daily News-Record on Friday, September 10, and Friday, September 17, 1999.

**NOTICE OF INTENTION TO SELL
ONE (1) PARCEL OF REAL ESTATE CONTAINING 2,065 SQUARE FEET
LOCATED ON THE SOUTH SIDE OF CANTRELL AVENUE**

**City Council Chambers
Tuesday, September 21, 1999
7:30 p.m.**

The Harrisonburg City Council will hold a public hearing on Tuesday, September, 21, 1999 at 7:30 p.m., in the City Council Chambers, Municipal Building, 345 South Main Street, Harrisonburg, Virginia, to determine if there is any reason not to sell one (1) parcel of unimproved real estate, containing 2,065 square feet and being located on the south side of Cantrell Avenue between Ott Street and Paul Street, in the City of Harrisonburg.

Sealed bids having been received by the City Council at its regular meeting, on August 24, 1999, the City Council intends to convey said parcel to the highest bidder.

Copies of the recommendation of the City Planning Commission along with a copy of a plat and more particular description of the parcel to be sold and a copy of the bid received are available at the Community Development Department, 409 South Main Street, Monday through Friday, 8:00 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 selling this property. There being no one desiring to be heard, the public hearing was declared closed at 8:03 p.m., and the regular session reconvened. Council Member Rogers offered a motion for a second reading to approve selling the property. The motion was seconded by Vice-Mayor Lantz, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Lantz
Council Member Green

Council Member Rogers
Mayor Eagle

Absent: None

Jim Werner representing the Veterans of Foreign Wars Post 632 said that the VFW will be celebrating its 100th anniversary on November 11, 1999. Most localities in the United States are planning a project to commemorate the anniversary. The City has an old German cannon, a local landmark, sitting on the same spot in front of Harrisonburg High School for nearly 71 years. The VFW Post 632 members would like to restore the old German cannon to its original luster and will be moving the cannon to Shickle Machine Shop for a complete restoration. VFW Post 632 plans to spend nearly \$10,000 to overhaul the old German cannon, install a new concrete pad and a 50-foot flag pole at the HHS site. Mr. Werner said the goal is to fire the cannon at precisely 11:00 a.m., on November 11th, "the 11th hour of the 11th day of the 11th month." He also requested some financial support from the City including providing help with permits and the concrete pad. City Manager Stewart will be discussing this request with City staff.

✓ Travis Crayosky, Hydrologist and Environmental Planner, representing the Williamsburg Environment Group presented an updated water budget analysis report for the proposed golf course located within the Lineweaver/Strait property in Harrisonburg. He explained that as part of the overall analysis, seasonal irrigation demands were computed for the proposed golf course turfgrass areas. He said that normal rainfall and run-off should be sufficient to meet the irrigation demands of the proposed 18-hole golf course. He also said that the irrigation demand for the golf course would be 43 million gallons during a year of normal precipitation and 61 million gallons during dry conditions. Only under extremely dry conditions, would the City need to use additional irrigation supplies. Mr. Crayosky said that backwash from the Water Treatment Plant currently discharged into the stream which drains into the proposed irrigation pond contributes an average of 6 million gallons which would be a significant source of irrigation water. Backwash, run-off, rainfall and pond storage should be enough to satisfy the irrigation water supply even in extremely drought conditions. In most extreme drought, the on-site wells might be needed, but no potable water will be needed for irrigation. He noted that two ponds located in the southern portion of the project will provide similar storm water management attributes as to the large pond receiving drainage from the large water shed. These ponds would act to slow the flow of water run-off and would not increase the potential for off-site flooding.

✓ Planning and Community Development Director Turner introduced a request by Daniel Michael, agent for Bill V. Neff Enterprises, for approval of a Preliminary Plat entitled "Black's Run Industrial Park 2, Section 1, Lots 4-11" with a variance to cul-de-sac length. She explained that the site is 49.721 acres and is located along Early Road. The site and surrounding parcels are zoned M-1. The applicant is requesting to subdivide the property into eight lots, fronting on a proposed cul-de-sac. The applicant is also requesting a variance to Section 3.1.4 of the Design and Construction Standards Manual pertaining to cul-de-sac length. The City's standard for maximum length of a cul-de-sac is 800 feet, whereas the applicant is proposing to build a street approximately 1,100 feet in length. A portion of the site is located within the limits of the 100-year floodplain which would make extension of this road off site and onto other properties very difficult and would be very costly.

She said that no other route is possible onto adjacent properties, due to topography and natural features. She said that the Planning Commission recommended approval of the request. Vice-Mayor Lantz offered a motion to approve this request. The motion was seconded by Council Member Green, and approved with a roll call vote taken as follows:

Vote: Yes - Council Member Byrd
 Vice-Mayor Lantz
 Council Member Green
 Council Member Rogers
 Mayor Eagle

Absent: None

Planning and Community Development Director Turner introduced a request to vacate recorded easements in connection with the re-subdivision of Lot 12, Section 5, Blue Stone Hills Subdivision. She explained that the property owners are requesting to re-subdivide a 4.5 acre parcel into three lots and vacate recorded easements. The property is zoned R-3 Multiple Dwelling Residential District. In 1998, Mr. and Mrs. Curt, owners of the property, vacated the lot lines of several parcels to create the 4.5 acre lot at the end of Pearl Lane. At the time, they intended to build a single-family home on the property, but later changed their plans. As a result, they are seeking to put the lot lines back in their original location. This could be done with an administrative approval; however, there are recorded easements that need to be vacated. She said that Planning Commission recommended approval of the request. Council Member Rogers offered a motion to approve this request as presented; however, the motion died for lack of a second.

✓ Public Works Director Baker announced that Faulconer Construction Company was the low bidder for the Park Road project between Parkwood Drive and Shank Drive. The project consists of installation of curb, gutter, sidewalks, storm drain system, retaining wall, pavement reconstruction, water and sewer line renewal, and storm drain outlet system across EMU property. Eastern Mennonite University will be participating in the cost of the project including costs of the retaining wall, storm drain outlet system across EMU property, curb, gutter, entrance in front of new Commons projects, and sidewalks along the full length of the project. Also, EMU will be providing the necessary right-of-way from their property. Mr. Baker said that some funds for this project have been included in the budget including \$190,011 from the Water and Sewer Department, and \$449,764 from the General Fund Capital Projects. Vice-Mayor Lantz offered a motion authorizing City Manager Stewart to sign the construction contract for the Park Road project with Faulconer Construction Company. The motion was seconded by Council Member Byrd, and approved with a roll call vote taken as follows:

Vote: Yes - Council Member Byrd
 Vice-Mayor Lantz
 Council Member Green
 Council Member Rogers
 Mayor Eagle

Absent: None

✓ City Manager Stewart presented the following resolution for Council's consideration of approval:

A RESOLUTION OF THE HARRISONBURG CITY COUNCIL

WHEREAS, AmeriGas, Inc. has expressed its intent and desire to the Harrisonburg City Council to locate its new facility in the City of Harrisonburg; and

WHEREAS, AmeriGas, Inc. and its operation will require rail access; and

WHEREAS, the officials of AmeriGas, Inc. have reported to the City their intent to apply for industrial access railroad track funds from the Commonwealth of Virginia's Department of Rail and Public Transportation in the amount of \$61,520, and;

WHEREAS, AmeriGas, Inc. has requested that the Harrisonburg City Council provide a resolution supporting its application for said funds which are administered by the Virginia Department of Rail and Public Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Harrisonburg hereby endorses and supports the application of AmeriGas, Inc. for \$61,520 in industrial access railroad track funds; and

BE IT FURTHER RESOLVED, that the City of Harrisonburg hereby makes known its desire and intent to assist the Commonwealth Transportation Board in providing the requested assistance to AmeriGas, Inc. for the purpose of locating its new facility in the City of Harrisonburg.

Adopted: September 21, 1999.

Rodney L. Eagle, Mayor

Attest:

Yvonne Ryan, CMC, City Clerk

Economic Development Director Shull explained that this request will allow AmeriGas Propane, L.P. which currently has a facility in the Pleasant Valley area to construct a bulk storage and processing facility for propane gas in the Acorn Industrial Park. AmeriGas will be constructing a \$1,000,000 facility employing approximately 20 additional employees within three years. This resolution will enable AmeriGas to request industrial access railroad track funds from the

Commonwealth of Virginia. Council Member Rogers offered a motion to approve this resolution. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

Council Member Byrd offered a motion to approve the request from the Harrisonburg Parks and Recreation and Rockingham County Parks and Recreation to hold the Christmas parade on Friday, December 3, 1999 at 7:00 p.m. The motion was seconded by Council Member Green, and approved with a unanimous vote of Council.

City Manager Stewart stated that the Virginia Municipal League Conference has been scheduled for October 17-20, 1999. Council Member Green offered a motion naming Mayor Rodney Eagle as the voting delegate and Council Member Rogers as the alternate delegate. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

City Manager Stewart presented a request to transfer funds from Public Transportation to Central Stores. He explained that this transfer will allow for the purchase of replacement fuel pumps to the Transportation fuel island which were installed in 1981. Vice-Mayor Lantz offered a motion to approve the transfer of these funds:

\$11,200.00 chge. to: 2013-872081-481811 Buildings & Grounds

\$11,200.00 approp. to: 2112-772141-48111 Machinery & Equipment

The motion was seconded by Council Member Green, and approved with a unanimous vote of Council.

Public Utilities Director Collins recommended because the area had received several inches of rain that the City should lift the voluntary water conservation. Council Member Rogers offered a motion to remove the voluntary water conservation. The motion was seconded by Council Member Green, and approved with a unanimous vote of Council.

City Manager Stewart said that he had received a telephone call from Libby Welsh, Commonwealth's Transportation Board Member, requesting that a meeting between Harrisonburg City Council and Rockingham County Board of Supervisors be held on September 28th at 7:00 p.m. to continue the discussion on the Harrisonburg Area Transportation Study. The City Council agreed to the date and time of the meeting.

At 9:03 p.m., there being no further business and on motion adopted the meeting was adjourned.


CLERK


MAYOR