

REGULAR MEETING

JUNE 27, 2000

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; Vice-Mayor Hugh J. Lantz, Walter F. Green, III, and Larry M. Rogers; City Clerk Yvonne Bonnie Ryan, CMC/AAE, and Chief of Police Donald Harper. Absent: John H. Byrd, Jr., and Earl Q. Thumma, Jr.

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

Council Member Green offered a motion to approve the consent agenda, including approval of the minutes and the second reading of supplemental appropriations for Reserve for Contingency, capital projects, and Data Processing. The motion also included the second reading amending and re-enacting Article 6. Section 4-2-86 and Section 4-2-95 of the Harrisonburg City Code. The motion was seconded by Council Member Rogers, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

City Manager Stewart presented a request to increase the School Capital Projects Fund. He explained that these funds will appropriate the City's proceeds from the Spring VPSA bond sale and will be used to renovate the Spotswood and Waterman Elementary Schools and to add air conditioning to the Harrisonburg High School field house.

At 7:35 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, June 19, 2000.

NOTICE OF PUBLIC HEARING

A public hearing will be held by the Harrisonburg City Council on Tuesday, June 27, 2000 at 7:30 p.m. in the Harrisonburg Municipal Building, 345 South Main Street, Harrisonburg, Virginia. The purpose of this public hearing will be to get citizen input concerning a proposed increase in the City's School Capital Projects Fund budget in the amount of \$5,104,295.23. These funds are the City's proceeds from the Spring VPSA bond sale. It is proposed that these funds be used to renovate Spotswood and Waterman Elementary Schools and to add air conditioning to the Harrisonburg High School field house.

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

CITY OF HARRISONBURG

Steven E. Stewart

City Manager

Mayor Eagle called on anyone present desiring to speak for or against increasing the School Capital Projects Fund. There being no one desiring to be heard, the public hearing was declared closed at 7:35 p.m., and the regular session reconvened. Council Member Green offered a motion to approve issuing the VPSA bonds for a first reading. The motion was seconded by Vice-Mayor Lantz, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

Mayor Eagle introduced a resolution authorizing the creation of the Harrisonburg Crossing Community Development Authority. Bonnie France, attorney with the law firm of McGuire, Woods, Battle & Boothe, explained that the proposed resolution authorizes the creation of the Harrisonburg Crossing Community Development Authority. She also said that this would be the first step to finance some of the public improvements associated with a proposed commercial development in the City. The CDA proposes to issue bonds for off-site road improvements. The City will not issue the bonds and will not be liable for the repayment of the bonds.

At 7:37 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 Thursday, May 25, Thursday, June 1, and Thursday, June 8, 2000.

NOTICE OF PUBLIC HEARING ON

PROPOSED RESOLUTION

CREATING THE HARRISONBURG

CROSSING COMMUNITY

DEVELOPMENT AUTHORITY

Notice is hereby given that the City Council of the City of Harrisonburg, Virginia (the City) will hold a public hearing in accordance with Section 15.2-5156 of the Code of Virginia of 1950, as amended on a resolution (the Resolution) creating the Harrisonburg Crossing Community Development Authority (the CDA). The Resolution authorizes the creation of the CDA for the purpose of financing various infrastructure improvements in connection with development of a shopping center known as Harrisonburg Crossing and establishes certain other details with respect to the CDA. A complete copy of the resolution and a copy of the Petition to create the CDA are on file in the City Manager's office at the address shown below. The public hearing, which may be continued or adjourned, will be held at 7:30 p.m. or as soon thereafter as the matter may be heard on June 27, 2000 in the Council Chambers, 345 South Main Street, in the City of Harrisonburg,

Virginia.

Mayor Eagle called on anyone present desiring to speak for or against this resolution.

Mark Mancuso

, vice-president of CBL & Associates Properties, Inc., said that his company was a real estate investment trust company listed on the New York Stock Exchange. He said during the last year he had been working in the City in an attempt to redevelop the property known as the Frazier Quarry. The property is currently zoned for industrial use and he reviewed the businesses currently on the property. Council Member Green questioned if the Council Members-elect had approved for the current Council to approve this request and move forward with the project. City Manager Stewart explained that this project had been discussed with CBL and Associates and the Council Members-elect and they had indicated that the current Council should proceed with the public hearing and the establishment of the Community Development Authority. Mr. Stewart also pointed out that another public hearing will be held for the rezoning, but not for the process of establishing the Community Development Authority structure.

There being no others desiring to be heard, the public hearing was declared closed at 7:41 p.m., and the regular session reconvened. Vice-Mayor Lantz offered a motion to approve this resolution. The motion was seconded by Council Member Green, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

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

A RESOLUTION TO TELEVISION ALL REGULAR MEETINGS

OF THE CITY COUNCIL FOR THE CITY OF HARRISONBURG

WHEREAS, the Harrisonburg-Rockingham Chamber of Commerce has previously requested that the regular meetings of the City Council for the City of Harrisonburg, Virginia, be televised so that more citizens of the City would be aware of the issues and problems facing their local government; and

WHEREAS, the City Council after considering the request and the costs involved in televising the regular meetings, finds that it is in the best interests of the City and its citizens to televise its regular meetings;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Harrisonburg, Virginia, that the City Manager is directed to enter into the necessary agreements to televise the regular meetings of the City Council; and

BE IT FURTHER RESOLVED that all agreements to televise said regular meetings shall be similar to the proposals presented to the City Council at its regular meeting held on June 27, 2000; and

BE IT FURTHER RESOLVED that said televised meetings shall begin as soon as possible.

ADOPTED AND APPROVED, this 27th day of June, 2000, by the City Council.

WHEREAS, the City Council after considering the request and the costs involved in televising the regular meetings, finds that it is in the best interests of the City and its citizens to televise its regular meetings;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Harrisonburg, Virginia, that the City Manager is directed to enter into the necessary agreements to televise the regular meetings of the City Council; and

BE IT FURTHER RESOLVED that all agreements to televise said regular meetings shall be similar to the proposals presented to the City Council at its regular meeting held on June 27, 2000; and

BE IT FURTHER RESOLVED that said televised meetings shall begin as soon as possible.

ADOPTED AND APPROVED, this 27th day of June, 2000, by the City Council.

MAYOR

ATTEST:

CLERK OF THE COUNCIL

Council Member Rogers presented a brief report concerning televising the Council meetings. He explained that a contract with Telemedia has been arranged to produce two City Council meetings per month at a cost of \$200 per Council meeting for a total cost of \$4,800 per year. This fee includes set up, taping and equipment. The contract begins July 1, 2000 and ends June 30, 2004. Council Member Rogers offered a motion to approve this contract. The motion was seconded by Vice-Mayor Lantz, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

Barry Hensley

read the following statement: Last evening the citizens of Harrisonburg had the benefit of a professional analysis of the issues concerning the Harrisonburg Golf Course. Community response was quite favorable and clarity concerning this issue appears to be evolving slowly. The members of CARING within the past two months have undertaken a careful and detailed analysis of the community and the issues concerning the golf

course and have offered a possible solution to the dilemma. CARING has also realized that significant problems loom in the very near future if an immediate solution is not forthcoming. The undisputed issue in this matter are:

- (1) The Harrisonburg Municipal Golf Course is 50-60% completed and to date about \$2.5 million has been expended.
- (2) Political rhetoric and partisan posturing have failed to resolve any problems and have created animosities and a lack of trust in the community.
- (3) The golf course, if it is to be completed and operated successfully needs to be removed from the political process and placed in an objective management status.
- (4) Consequently, CARING has called for the City Council to appoint a commission to manage the golf enterprise in much the same way that HEC is managed and operated.
- (5) There is certainly not now, and has never been a citizen mandate to stop construction. The only mandate was to place new persons on the Council.

The process of planning, developing, and constructing the golf course has been involved and detailed. A review of all the pertinent documents clearly reveals the depth and degree of the planning and consideration given this project by both City staff, City Council and paid professional consultants. Conversely, however there appears to have been little, if any, planning done to suspend or terminate this golf course. Our research has clearly shown that the citizens of our City face ominous legal, environmental, and financial problems if this project is terminated prematurely. Experts have outlined that the citizens of Harrisonburg face probable long-term litigation, financial stress, and environmental deterioration of park land if the project is terminated on July 1 or shortly thereafter as promised. Perhaps these are the hard times that have recently been referred to.

Therefore, tonight CARING, on behalf of the citizens of Harrisonburg request that the City Council prior to the suspension or termination of the Golf Course contract authorize the City Manager and his staff to undertake a comprehensive study to determine both the short and long term environmental, legal, and financial consequences of closing down the golf course temporarily or permanently and that this project be made public prior to any City Council action in this matter. The report should address specifically the following issues and concerns:

- (1) The total costs to suspend or terminate the contract with Turf Drain, Inc. The costs should include, but not be limited to, penalties, funds already expended or billed, amounts necessary to restore the property, and actual and projected litigation costs.
- (2) To identify the revenue sources from which these funds are to be derived. Are these funds to be taken from schools, outlays for other capital improvements, operational costs, or will taxes need to be raised and by how much? It is my understanding you cannot use the bonds to pay off this debt if the project is not completed.
- (3) How long will be needed to pay these debts and will additional money needed to be borrowed? Where does that money come from?

(4) What are the plans for the Straite/Lineweaver property? How much will it cost to develop and implement these plans? Have we been there and done that?

The issues concerning termination of the project are actually more complicated than the original development of the golf course was. It is more difficult to get out of commitments than to make commitments. The citizens of Harrisonburg have a right to full disclosure of these matters before any City Council action is taken. The citizens of Harrisonburg have clearly not issued a mandate to stop this project and are in no mood to tolerate any arbitrary action by the City Council. CARING is confident that City Council members both old and new can feel this pulse in the community. Citizens believe, as does CARING, that the City Council is elected to serve them. Part of the City Council's assignment is to keep citizens informed. CARING is requesting you do so in a timely and professional manner so that as citizens we can assess your performance and be better informed as to how our taxpayers dollars are to be spent. We expect that wise decision will not succumb to political promises and postures.

City Manager Stewart noted that City staff will soon update its projection of the anticipated investment in the project through June 30, 2000. He said that he anticipated the updated projection will be close to the earlier estimate of about \$2.7 million, in direct and indirect costs. Following further discussion and comments, Vice-Mayor Lantz offered a motion to have the City Manager gather information and present a report to City Council before any action is taken on suspension or termination of the golf course. The motion was seconded by Council member Rogers, and approved with a unanimous vote of Council Members present.

Cecil Gilkerson

presented a plaque to City Attorney Earl Thumma who was absent at the meeting and expressed his personal thanks for the endless hours of hard work for more than 14 years. He also mentioned the number of times Mr. Thumma defended the City never losing a case, the enormous amount of paper work, and the professional manner in which he carried out his task. Mr. Gilkerson expressed his personal thanks and thanks from the CARING group and wished Earl Thumma the very best in the future. Mr. Gilkerson presented a plaque to Mayor Rodney Eagle, Council Member Green, and Council Member Byrd who was also absent at the meeting. He said that the many citizens of Harrisonburg and especially CARING wanted to express their thanks for the dedicated services given to the citizens of Harrisonburg. The thousands of telephone calls, hundred of meetings some lasting into the early hours of the morning, sleepless nights, many written letters, and the thousands of handshakes, Mr. Gilkerson said that the citizens appreciate this type of dedication. He said, You have performed in a professional way in serving us, and to your wives who showed a lot of patience, while waiting on dinner and the late meetings and to the children who are all very proud of their father's accomplishments on City Council. We offer our thanks and appreciation for your dedication to our great City.

Parks and Recreation Director Gucker presented for Council's consideration a recommendation from the Parks and Recreation Commission to purchase 48 acre tract of land bordering Hillandale Park. She explained that the Parks and Recreation Commission met on June 19th and unanimously made a motion to recommend to City Council to purchase the property currently owned by Bridgewater College for future park land. Council Member Rogers offered a motion to refer this recommendation to the Planning Commission. The motion was seconded by Council Member Green, and approved with a unanimous vote of Council Members present.

Economic Development Director Shull presented the following resolution for Council's consideration of approval:

RESOLUTION

INDUSTRIAL ACCESS ROAD PROJECT

BLACKS RUN INDUSTRIAL PARK II

At a regularly scheduled meeting of the City of Harrisonburg held on June 27, 2000, on a motion by Council Member Green, seconded by Vice-Mayor Lantz, the following resolution was adopted by a vote of three to zero with Council Member Rogers abstaining:

WHEREAS, Harmony Shenandoah Valley, LLC has purchased property located in the City of Harrisonburg and has entered into a firm contract to construct its facilities on that property for the purpose of producing high-grade fertilizer; and

WHEREAS, this new facility is expected to involve a new private capital investment in land, building, and manufacturing equipment of approximately \$7.2 million and Harmony Shenandoah Valley, LLC is expected to employ 25 persons at this facility; and

WHEREAS, manufacturing operations are expected to begin at this new facility on or about January, 2001; and

WHEREAS, the property on which this facility is located has no access to a public street or highway and requires the construction of a new roadway which would connect with Route 988; and

WHEREAS, the City of Harrisonburg hereby guarantees that the necessary right-of-way for this roadway and utility relocations or adjustments, if necessary, will be provided at no cost to the Virginia Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED THAT: The City Council of Harrisonburg hereby requests that the Commonwealth Transportation Board provide Industrial Access Road funding to provide an adequate road to this new manufacturing facility; and

BE IT FURTHER RESOLVED THAT: The City Council of Harrisonburg hereby agrees that the new roadway so constructed will be added to and become a part of the road system of the City of Harrisonburg and will therefore be maintained by the City of Harrisonburg.

Rodney L. Eagle, Mayor

Attest:

City Clerk

Economic Development Director Shull explained that Council had unanimously endorsed a similar resolution November 23, 1999 for a bonded project in Blacks Run Industrial Park II in southern Harrisonburg. Since then, Harmony Shenandoah Valley LLC has committed to build a \$7.2 million manufacturing facility in the park and take advantage of the road. This request will amend the November 23, 1999 resolution and release the City from any bond commitment. Council Member Green offered a motion to approve this resolution. The motion was seconded by Vice-Mayor Lantz, and approved with a recorded roll call vote taken as follow:

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Mayor Eagle

Abstained - Council Member Rogers

Absent - Council Member Byrd

City Planner Anderson presented an overview of the Landscape Committee's conceptual proposal. He explained that Planning Commission had formed a committee to look at landscaping options in the City. The Landscape Committee consisted of Kathy Whitten, Lee Foerster, Rudy Propst, Chad Layman, J.R. Copper, and Ken Patterson supported by staff members Carolyn Noel and Earl Anderson. Mr. Anderson said that the committee had reviewed the LEAF project in the City of Lynchburg. The LEAF project had a goal to raise \$380,000 in corporate and individuals donations to create a public-private agreement to landscape the Lynchburg Expressway. Benefits the committee observed were of economic development, tourism, encouragement for business landscaping, and promoting civic pride. The Lynchburg committee used several implementations tactics including identifying sources of funding, making contact and securing those sources. As well as, designing a system of incentives and recognition and working out a landscape design with a professional landscape architect. The City of Lynchburg supported the project by funding the master landscaping plan, providing public relations, organizing the committee and providing support staff, besides maintaining the landscape areas once installed. Signage designed for the project consisted of wood engraved signs with the sponsoring business name in each bed. All of the beds contained various plantings of flowers, bushes, grasses, and trees. In addition, the beds were placed along major areas of traffic circulation. The LEAF project also was awarded the Virginia Municipal League's 1995 Achievement Award for their design.

Mr. Anderson also reviewed some of landscaped beds in the City including Washington Street and North Main Street, Cantrell Avenue bridge and where the Landscape Committee is proposing to plant a bed dedicated by the City, along East Market Street in front of the K-Mart Shopping Center. Mr. J.R. Copper, a committee member, explained that the committee came up with the idea to have a joint public-private venture, similar to Lynchburg. The project would give the City a well-maintained, manicured area sponsored by private business. The committee explored this possibility rather than passing an ordinance and having a cookie-cutter type development. The committee is proposing having businesses in the City sponsor a bed that will cost \$5,000 to \$10,000. The committee is suggesting a maintenance cost of 50/50 or so much per year to keep their sign there, or it will be sold to another business. The committee has worked out some general guidelines including hiring an individual, starting with a part-time person, but leading to a full-time person in charge with some City staff support. Mayor Eagle commented that the City had worked on a similar project with the VFW. The VFW came to City Council and wanted to redo the island where the cannon and flags are in front of the high school. Many businesses participated either monetarily or by providing services to redo the monument. Council Member Rogers offered a motion to refer this request to the City Manager including his staff and members of the Landscape Committee for their consideration and to present a report to City Council at a later meeting. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

City Treasurer Neal presented a request to charge off delinquent business licenses for 1997 and 1998. City Treasurer Neal explained that delinquent notifications and court notifications (both by mail and Sheriff door service) have been sent to all businesses on the list. In some cases, when possible, a judgement has been placed against the business and the judgement will remain in place and effect future credit of said business for 20 years. Council Member Green offered a motion to approve this request. The motion was seconded by Vice-Mayor Lantz, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

City Treasurer Neal presented a request to charge off 1994 personal property taxes and 1979 real estate taxes. City Treasurer Neal explained that her office has tried to collect these severely delinquent taxes. The office has had marginal success participating in the debt set off program through the Commonwealth of Virginia. Vice-Mayor Lantz offered a motion to approve this request. The motion was seconded by Council Member Green, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

City Treasurer Neal presented a request to consider charging back outstanding/uncashed checks issued by the City between 1995 & 1998. City Treasurer Neal explained that these checks were issued in 1995 through 1998 and all checks were either mailed to the vendor or given to the employee through normal departmental pay processes. However, none of the checks were returned through the mail as deliverable or for some unknown reason they were never cashed. Vice-Mayor Lantz offered a motion to approve this request. The motion was seconded by Council Member Rogers, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

City Manager Stewart presented a request to change the definition of a Capital Improvement from \$20,000 to \$25,000. He explained that approval of this request will change the City's Financial Management Policies Manual's Asset Maintenance, Replacement and Enhancement Policies. Council Member Green offered a motion to approve this request. The motion was seconded by Vice-Mayor Lantz, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

City Manager Stewart presented a request to change definition of a Capital Item and a Fixed Asset. He explained that currently the City's definition of a Capital Item or a Fixed Asset says it must be an item that cost \$1,000 or more. It is requested that City Council consider increasing this amount to \$5,000 or more July 1, 2000. Approval of this request will change the City's Purchasing and Contracting Manual. Vice-Mayor Lantz offered a motion to approve this request. The motion was seconded by Council Member Green, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

City Manager Stewart presented a request to transfer funds. He explained that the City had received a bill from Mays and Valentine for \$23,665.00. This bill represents the charge for legal services, regarding the TAGS lawsuit, that was not paid for by the City's insurance. Vice-Mayor Lantz offered a motion to transfer these funds:

\$23,665.00 chge. to: 1000-940111-49310 Reserve for contingencies

\$23,665.00 approp. to: 1000-110111-43100 Professional services

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

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

City Manager Stewart presented a request to transfer funds. He explained that some budgeted funds in the Sewer Capital Project Fund have been identified for reallocated to over sizing and extensions based upon the department's projected work plan. Council Member Green offered a motion to transfer these funds:

\$180,000.00 chge. to: 1322-911161-48647 HRRSA WWTP Expansion

15,000.00 chge. to: 1322-911161-48607 East Side Road Improvements

5,730.51 chge. to: 1322-911161-48646 VDOT West Market Street

\$200,730.51 approp. to: 1322-911161-48650 Oversizing & Extensions

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

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

City Manager Stewart presented a request to transfer funds. He explained that several budgeted Water Fund Capital outlays items won't be completed prior to June 30, 2000. This request will not increase the current year's budget. Council Member Green offered a motion to transfer these funds:

\$ 2,981.76 chge. to: 2011-372061-48291 Engineering & Mapping

34,385.00 chge. to: 2011-372061-48295 Work in annexed area

\$37,366.76 approp. to: 2011-392061-49216 Transfer to Capital projects

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

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

Hank Dunton

said that he has had the honor and privilege of knowing and working with Mayor Eagle, Council Member Green and Council Member Byrd. He said that he has benefited daily from the current Council's dedication and foresight. It is indeed a sad occasion that we bear witness to this changing of the guards, but as Mayor Eagle, Council Member Green, Council Member Byrd, and City Attorney Thumma depart the service of our City, let us celebrate the many contributions that each has made. We should already remember that when a

battle is lost because men refuse to compromise their principles these men have already won the alternate battle. In that war truth and integrity honor and faith will always rein victoriously. He said that, I would like to think that seventy-five years from now when they mention the names of Rodney Eagle, Walter F. Green, III, John Byrd, and Earl Thumma that it will be the good and contributions they have made to this town that will be remembered. Thank you and God bless each of you.

Kathy Whitten

speaking on behalf of the Planning Commission presented a Certificate of Recognition to Rodney Eagle in appreciation for his service as a member of the Harrisonburg Planning Commission from July 10, 1996 to July 1, 2000. She said that during this time he attended 52 regular meetings of the commission, many workshops, and participated in the 1998-1999 update of the Comprehensive Plan, the adoption of the Major Street Plan, and the annual reviews of Capital Improvement Programs. Mrs. Whitten also said, We will truly miss you and wish you success.

Dick Blackwell

said that he has appeared before City Council many times and that although sometimes there wasn't complete agreement on some of the decisions, he had always appreciated the way they have conducted the affairs of the City. This current City Council has represented the City very well, especially Mayor Eagle by working 20 to 35 hours per week and wearing out the batteries of his cell phone. He noted that Mayor Eagle always made himself available to anybody in the City who needed to talk to him. He said, We will miss you.

Carolyn Pence

expressed her personal thanks to Mayor Eagle, Council Member Green and Council Member Byrd for the way they have looked out for the needs and interest of everyone in the City.

George Rontopoulos

said that once the sign issue in downtown was presented to City Council, through the cooperation of the downtown business owners and Council the area has improved. He also said the City is a lovely place to live.

Don Kidd

said that he has lived for 20 years in the City. He thanked Rodney Eagle, Walter Green, and John Byrd for all they had done for the City. He encouraged the new Council Members to listen to the people and keep Harrisonburg a great place to live.

Stan Jones

said that he did not live in the City, but is the director of development for the Boys/Girls Club for Harrisonburg and Rockingham County. He said that in 1970, he came to Harrisonburg to play little division three football at Madison College. To play football, he needed to have a physical and one of the first persons he met in the community was Dr. Walter F. Green. He said that not only was Dr. Green available for healing him physically but shared his wisdom as a person. He said Dr. Green, you have touched the hearts of a lot of young people including myself and I doubt if anyone in this community ever again will have the opportunity to touch the lives of so many young people.

Vice-Mayor Lantz said that he had the opportunity to visit Chattanooga, Tennessee with a group from JMU to visit their recreation department and athletics facility. Chattanooga owns a football stadium, a three million

dollars women's softball stadium, and three municipal golf courses. Mr. Lantz also commented that Harrisonburg has one of the finest Parks and Recreation Department in the state of Virginia. For the past year, Council has been negotiating with the Strate family on the possible purchase/lease of some land next to the Lineweaver/Strate property for a golf driving range. He presented a lease/purchase agreement and deed of easement until July 31, 2008 to provide a driving range for the City's golf course. Anywhere during the eight-year lease, the City has the option of purchasing the land. The payment for the lease agreement is that the City will install a sewer line through the golf course property up to the Strate property and providing a deed of easement for the Straite's to hook into the sewer line in Hillendale Park. Vice-Mayor Lantz offered a motion authorizing the City Manager and Mayor to sign the two lease agreements with the Straite family. The motion was seconded by Council Member Rogers, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

Council Member Rogers said that it has been a pleasure to get to know and work with Council Member Green, Council Member Byrd, and Mayor Eagle. Mr. Rogers said that in 1996, he and Hugh Lantz decided after adding the ages of Dr. Green, Mr. Byrd, and Mr. Eagle that if they provided some warm milk at 8:30 p.m. they could get them to go to sleep. However, they soon discovered these men really made them work and they were very tired on Wednesday. Mr. Rogers said that it has been an honor to get to know these men and he really appreciated everything they have done for the City.

Mayor Eagle commented that it has been a great experience and he has learned a lot about the City.

Council Member Green said that he has enjoyed working with everyone including City staff, the City Clerk and City employees. He also suggested that TAGS and other groups should perhaps watch the British Open on television on July 17th because they will play it on the oldest golf course in the world and it is in the City park of St. Andrews, Scotland.

At 8:37 p.m., Council Member Rogers offered a motion that Council enter a closed session for discussion and consideration of persons to be appointed to the Social Services Advisory Board, and Harrisonburg Parking Authority, exempt from public meeting requirements pursuant to Section 2.1-344(A)(1) of the Code of Virginia, 1950, as amended. Consultation with the City Attorney and briefings by staff members pertaining to two proposed contracts, 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.

At 10:00 p.m., the closed 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 matters as were identified in the motion by which the executive or closed meeting was convened, were heard, discussed or considered in the closed session by the City Council.

Council Member Rogers offered a motion to adopt a resolution providing severance pay to the City Attorney and transferring these funds:

\$40,000 chge. to: 1000-940111-49310 Reserve for contingencies

\$40,000 approp. to: 1000-120411-43155 Severance pay

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

Vote: Yes - Vice-Mayor Lantz

Council Member Green

Council Member Rogers

Mayor Eagle

Absent - Council Member Byrd

Resolution Providing Severance Pay for City Attorney

Be it resolved by the Council of the City of Harrisonburg that Earl Q. Thumma be paid a lump sum severance in the amount of \$40,000 if he is not reappointed as City Attorney on July 1, 2000. This severance pay is based on the annual retainer paid to the City Attorney and is in recognition of the years of service provided to the City. The City Manager is directed to have the check prepared no later than June 30, 2000 and is directed to present the check to Mr. Thumma following the July 1, 2000 Council meeting if he is not reappointed City Attorney. \$40,000 is to be transferred from the reserve for contingencies to the City Attorney budget for this severance pay.

Adopted this the 27th day of June, 2000.

Mayor

Attest:

City Clerk

Council Member Rogers offered a motion that Margaret W. Sheridan, 518 East Market Street, be appointed to fill the unexpired term of Bill Boyd to expire on November 28, 2002 on the Harrisonburg Parking Authority. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

Council Member Rogers offered a motion that Donna C. Finnigan, 878 Stuart Street, be appointed to a first term on the Harrisonburg Parking Authority to expire on November 28, 2005. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

Council Member Rogers offered a motion that Brian Shull, 213 Quince Drive, be appointed to a term on the Shenandoah Valley Partnership Board to expire on June 30, 2002. The motion was seconded by Vice-Mayor

Lantz, and approved with a unanimous vote of Council.

At 10:01 p.m., there being no further business and on motion adopted the meeting was adjourned.

CLERK MAYOR