

REGULAR MEETING

SEPTEMBER 26, 2000

At a regular meeting of Council held this evening at 7:30 p.m., there were present: Mayor Carolyn W. Frank; City Manager Roger Baker; City Attorney Thomas H. Miller, Jr., Vice-Mayor Dorn W. Peterson; Council Member Larry M. Rogers, Hugh J. Lantz, Joseph Gus Fitzgerald; Chief of Police Donald Harper, and Acting City Clerk Director of Planning and Community Development Stacy Turner. Absent: Clerk Yvonne ABonnie@ Ryan, CMC/AAE.

Council Member Rogers delivered the invocation and Mayor Frank led everyone in the Pledge of Allegiance.

Human Resource Director Whistleman introduced four new City employees: Danielle Morris, Thomas Morris, Public Works Department; Charles (LeRoy) Thomas, Parks and Recreation Department; and Peggy Propst, Fire Department.

Vice-Mayor Peterson offered a motion to approve the consent agenda, including approval of the minutes and the second reading to increase the Harrisonburg Transportation Fund 2000-2001 budget and designating a City Official to sign all deeds. The motion also included amending and re-enacting Section 13-1.60.01 and Section 4-2-62 of the Harrisonburg City Code. The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Peterson

Council Member Rogers

Council Member Lantz

Council Member Fitzgerald

Mayor Frank

Absent - None

Director of Public Works Baker presented an overview of a Transportation Planning Study on the development of transportation planning and related street improvements for vehicles, pedestrian and bicyclists. He explained that in July, City Council requested that a group consisting of City staff members, Transportation Safety Commission members and Dr. Leonard VanWyk form a study group to review the idea of a comprehensive transportation study for the City. The purpose of the study would be to develop a plan to improve the quality of life in Harrisonburg by making our streets more pleasant for vehicles, pedestrians and bicyclists, along with making streets an attractive and a calming environment, by reducing noise and speeding. Mr. Baker also said that Mr. VanWyk, a member of the committee, has suggested that the City hire a consulting firm to provide a comprehensive review of transportation and safety issues throughout the City. A consultant could cost between \$120,000 and \$200,000 for a comprehensive study. Currently the City has a Major Street Plan, HATS Plan, Comprehensive Plan and Land Use Plan, Bicycle Plan, Public Transportation System, East Market Street Corridor Study, Traffic Calming Plan and a Traffic Analysis for Major Developments in place. Mr. Baker also said that the group needed to develop a statement stating that AA consultant should not establish a vision for the City. In comparing Harrisonburg with other cities, they realized that many factors could affect the cost which could be very large. The study group recommendation was to coordinate the existing studies already in place, develop a process for direct community involvement, and include the consideration of a staff transportation planner to coordinate these needs and maintain the community's vision. Mr. Baker presented an overview of the HATS Plan which includes the Port Republic Road project, Stonespring Road/Erickson Avenue project (East-West connection), East Market Street from I-81 to ECL, widening the intersection of South Avenue and Main Street, and completing Virginia Avenue between Gay Street and Fifth Street to four lanes. The Bicycle Plan recommends routes throughout the City and should include installing AShare the Road@ signs on existing streets that cannot be widened because of right-of-way restrictions and buildings. Mr. Baker suggested that perhaps in the future an abandoned railroad line might be used for bike paths. He also suggested that public education was needed concerning bicycles, neighborhoods should have interlocking streets with one or two connections to a primary route, and potential developers should include improvement along primary streets. The Public Works Department has started the development of a draft Residential Traffic Calming Plan. This plan deals with residential streets only. Many neighborhoods are experiencing cut-through problems and speeding. Mr. Baker said that they recommend that a consultant be hired to help with the development and completion of the plan. The City currently has an excellent public transportation program which should be enhanced, promoting more public transportation services to certain areas could help with the traffic congestion on the already crowded streets. Mr. Baker also explained that the Public Works Department has been reviewing crosswalk lights so that each light cycle has duration sufficient for a pedestrian to cross the street. He said the study group recommended that crosswalk timers be installed on South Main Street at JMU. The purpose of the timers is to indicate remaining time before the signal will change to a solid Do Not Walk. The study group has been discussing with James Madison University staff possible ways to enhance safety improvements on South Main Street. A draft concept includes installing special signs with flashing lights on Cantrell Avenue and Maplehurst Avenue to warn motorists that they are entering a higher volume pedestrian area. The project would also include installing a pedestrian crossing at the intersection of Patterson Street and Main Street. The pedestrian crosswalk could include a landscaped island in place of the left turn lane near the intersection and encourage students to use the crosswalk. The parallel sidewalk along Main Street should be moved back from the curb and a low landscaped hedge that would discourage pedestrians from crossing except at the intersections be installed. This concept will require some consulting and engineering support help. A citizen's survey is suggested for South High Street. Speed limits are established initially on a project based on the roadway design criteria. If the design speed is 40 mph then the posted speed is 35 mph. In reference to pedestrian and bicycle safety on South High Street, lowering the speed limit will not enhance safety for pedestrians or bicyclists. For the past several years the construction standards have required the installation of sidewalks on at least one side of any new street constructed. All sidewalks should be 5' in width. Normally pedestrians walk together and 4' wide walks are not safe or efficient. He also noted that trying to coordinate traffic signals is a difficult situation. Mr. Baker said that a Comprehensive Traffic Plan would be helpful. However, the funds for such a study would be better used at this time in developing and constructing some projects already

identified by other plans and studies. He said that a Staff Transportation Planner on staff would be beneficial to help with this coordination of these projects. This person could work with all types of traffic issues including coordination of parking issues downtown, neighborhoods, and seek grants to help with some of these projects. Staff plans to work with JMU on a plan for improving pedestrian crossing of South Main Street, including consideration of a cross walk at Patterson Street. Also, if funds are made available, staff recommends improving the existing crossings on South Main Street by installing the pedestrian timing signals and the advance warning signs. The City should continue to develop transportation projects already identified in existing plans, especially the Stone Spring Road-Erickson Avenue connection. They should also consider coordinating the transportation program with an expanded Public Transit plan.

Leonard A. VanWyk thanked Public Works Director Baker for his presentation. He encouraged hiring a Transportation Planner to implement some changes Mr. Baker recommended.

Don Allen, a resident living at 210 Dixie Avenue, said that he works with a community organization People Helping People. These people need transportation getting from one employment place to the next employment place. He said transportation needs should consider the working poor in the price of the buses and the designation.

City Manager Baker presented a request to transfer funds. He explained that these funds would be used toward a start-up fund for the opening of a new cooperate art galley in downtown Harrisonburg called OASIS. City Council had designated the cultural development because it fits with the priorities established at the retreat, but noted that funding is not recommended beyond three years. Mr. Baker requested that OASIS present City Council with a report in six months to state how the money is being spent. Council Member Rogers offered a motion to transfer these funds:

\$25,000 chge. to: 1000-940111-49310 Reserve for contingencies

\$25,000 approp. to: 1000-910411-45884 OASIS-Our Art Space in the Shenandoah

The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Peterson

Council Member Rogers

Council Member Lantz

Council Member Fitzgerald

Mayor Frank

Absent - None

Council Member Lantz commented that another cultural arts group headed by former Mayor John Neff will be appearing before City Council at the next meeting. Though their plans are still in the formative stages, the concept that Mr. Neff and others are proposing is to form a commission for the arts in Harrisonburg, or some other type of organizing committee.

Vice-Mayor Peterson presented for City Council's consideration asking the Parks and Recreation Commission to make a recommendation on the specific management structure for the Golf Course. He explained that it is at the point to decide how the development and administration of the golf course will fit into City government. He requested an analysis from the Parks and Recreation Commission and City staff on various ways of putting this management of the golf course into City government. He made several suggestions including that the golf course would be operated under the normal functions of the Park and Recreation Department, creating something equivalent to HEC or a compromise between the two, or considering a long-term lease to a professional management firm. Council Member Rogers requested that a recommendation be presented to City Council at a future meeting. Vice-Mayor Peterson offered a motion to refer this request to the Parks and Recreation Commission. The motion was approved with a unanimous vote of Council.

City Manager Baker presented a request to temporarily close Beech Street between Grace Street and Dixie Avenue for a neighborhood block party. He explained that City staff has been reluctant to recommend closing a street for a block party in the past. However, this block party is different because there are no houses facing Beech Street and the party would be held from 3:00 p.m. until 6:00 p.m. Mr. Baker said that residents of the neighborhood would have to erect barricades to block off the streets and provide the City with a \$2 million certificate of insurance to protect it from liability. This certificate must be presented to Purchasing Agent Mark Milam by 5:00 p.m. Friday, September 29th. He also recommended that Police Chief Harper, Fire Chief Shifflett and Public Works Director Baker recommend some guidelines in case there are any similar future requests. Following further discussion and comments, Council Member Fitzgerald offered a motion to approve this request. The motion was approved with a unanimous vote of Council.

Council Member Rogers offered a motion to purchase 48.265 acres from Bridgewater College. The motion also included that the land would be designated for passive in use only and to also accept the financing offer made by Bridgewater College of 8% to be financed for a five-year period. Council Member Lantz commented that this request to acquire additional land for Hillandale Park had been referred to the Parks and Recreation Commission who voted unanimously to purchase the land to be used for passive park land. Mr. Lantz said that he had been instructed by City Council to negotiate the contract with the president of Bridgewater College. An offer was made to Bridgewater College and a letter was received confirming that

Bridgewater College had agreed to the negotiated price of \$800,000 for the 48.265 acres. Bridgewater College has also agreed to finance the property at 8% interest to be financed for a five-year period. The original price was \$900,000 for the land. Some discussion by Council Members included interpretation of whether a verbal commitment is a contract, large purchases should be made during the budget process allowing competition with other projects, preference of the Parks and Recreation Department, the land will be placed on the market next week if not purchased by the City, making Bridgewater College wait for five months for a decision, appraisal price of the land, the integrity of the City, offer made and accepted, and that the City will be having some large projects to be financed in the future. The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Peterson

Council Member Rogers

Council Member Lantz

No - Council Member Fitzgerald

Mayor Frank

Absent - None

City Manager Baker stated that the Virginia Municipal League Conference has been scheduled for October 23-25, 2000. Council Member Rogers offered a motion naming City Manager Baker as the voting delegate and Council Member Fitzgerald as the alternate delegate. The motion was approved with a unanimous vote of Council.

Finance Director Seal presented a request authorizing the re-appropriation of funds for an encumbrance that was outstanding at June 30, 2000. He explained that these funds will be used for the Charles McNulty Child Care Center and represent the final payment. Vice-Mayor Peterson offered a motion to approve this request for a first reading:

\$20,914.00 chge. to: 1000-31010 Amount from fund balance

\$20,914.00 approp. to: 1000-910411-47013 Charles McNulty Child Care Center

The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Peterson

Council Member Rogers

Council Member Lantz

Council Member Fitzgerald

Mayor Frank

Absent - None

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. He explained that these funds are from a state grant for a School Resource Officer. Council Member Fitzgerald offered a motion to approve this request for a first reading:

\$14,306.00 chge. to: 1000-32505 School Resource Officer

\$11,639.00 approp. to: 1000-310431-41010 Salaries/wages reg.

741.00 approp. to: 1000-310431-42010 FICA

1,125.00 approp. to: 1000-310431-42020 Retirement

392.00 approp. to: 1000-310421-42050 Hospital insurance

200.00 approp. to: 1000-310431-42110 Worker=s comp.

The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Peterson

Council Member Rogers

Council Member Lantz

Council Member Fitzgerald

Mayor Frank

Absent - None

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. He explained that these funds received from state and federal drug forfeiture will be used to purchase nine (9) replacement stations throughout the Police Department. Council Member Lantz offered a motion to approve this request for a first reading:

\$6,750.00 chge. to: 1000-22701 Federal (drug forfeiture)

6,750.00 chge. to: 1000-22702 State (drug forfeiture)

\$7,500.00 approp. to: 1000-310231-48172 Hardware (replacement)

3,000.00 approp. to: 1000-310331-48172 Hardware (replacement)

3,000.00 approp. to: 1000-310431-48172 Hardware (replacement)

The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Peterson

Council Member Rogers

Council Member Lantz

Council Member Fitzgerald

Mayor Frank

Absent - None

Barry Hensley said that he has lived on Garbers Church Road for 12 years. He said there has always been some flooding under Erickson Avenue at the low point. For the first time in many years there hasn't been any flooding because of the fine construction of the golf course and the environmental issues that have been established on the property. He thanked City Council for the golf course and said that it will be a wonderful asset for the City.

City Manager Baker announced that the Massassanutton Regional Library will receive a \$100,000 grant from the Bill and Melinda Gates Foundation. This grant will allow the library to purchase new computers and educational software.

City Manager Baker said that flooding has been occurring in the Fire Department located on the ground floor of the Municipal Building. He explained that repair work to one side of the building will be needed including some digging of the foundation of the building.

City Attorney Miller thanked City Council for allowing him to attend a local government attorneys association conference in Charlottesville.

Parks and Recreation Director Gucker presented a brief updated report on the municipal golf course. She explained that although the wet summer has played havoc with the construction schedule, the municipal golf course is on schedule. They are installing the other half of the pond liner, the pump house station is built, the clearing has been completed, and the irrigation system is in place. She also said with the grass being planted, driving tours will become nearly impossible at this time; however, tours will be arranged and offered later.

Council Member Lantz said that the City has been participating in the Jim Britts show keeping citizens informed on City projects. He suggested that some new Council Members appear on the show stating their goals and objectives.

At 9:20 p.m., Vice-Mayor Peterson offered a motion that Council enter a closed session for discussion and consideration of persons to be appointed to the Harrisonburg Parking Authority, Harrisonburg Planning Commission, Harrisonburg Parks and Recreation Commission, Harrisonburg Redevelopment and Housing Authority, Harrisonburg Electric Commission, Harrisonburg Building Code Board of Appeals, Harrisonburg Social Services Advisory Board, and the Shenandoah Valley Partnership Board of Directors. A closed session is permissible for this purpose pursuant to Section 2.1-344.A.1 of the Code of Virginia (1950), as amended (the Code). A closed session is permissible pursuant to Section 2.1-344(A)(1) of the Code of Virginia, 1950, as amended (the Code).

At 10:06 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 were convened, were heard, discussed or considered in the closed session by the City Council.

Council Member Rogers offered a motion that Rebecca Lynn Lough, 79 East Weaver Avenue, be appointed to fill the unexpired term of Curtis Kite to expire on November 28, 2001 on the Harrisonburg Parking Authority. The motion was approved with a unanimous vote of Council.

Vice-Mayor Peterson offered a motion that Roger Baker, be appointed to fill the unexpired term of Steve Stewart to expire on June 30, 2001 on the Shenandoah Valley Partnership Board of Directors. The motion was approved with a unanimous vote of Council.

At 10:08 p.m., there being no further business and on motion adopted the meeting was adjourned.

CLERK

MAYOR

