

REGULAR MEETING

FEBRUARY 13, 2001

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; Assistant City Manager Kurt Hodgen; City Attorney Thomas H. Miller, Jr., Vice-Mayor Dorn W. Peterson; Council Member Larry M. Rogers, Hugh J. Lantz, Joseph Gus Fitzgerald; City Clerk Yvonne "Bonnie" Ryan, CMC/MMCA, and Chief of Police Donald Harper.

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

City Manager Baker introduced Assistant City Manager Kurt Hodgen. He explained that Kurt was the Assistant County Administrator for Botetourt County. Mr. Hodgen is a graduate of James Madison University and began his career in City management with a spring internship with the City of Harrisonburg in 1984. Mr. Baker said that Kurt has been attending meetings and providing some good ideas and helpful input. Mayor Frank welcomed Assistant City Manager Kurt Hodgen to Harrisonburg.

Vice-Mayor Peterson offered a motion to approve the consent agenda, including approval of the minutes and a second reading of a supplemental appropriation for the Fire Department. The motion also included referring a request to close a portion of old South High Street, South of Cantrell Avenue to the Planning Commission. The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Fitzgerald
Vice-Mayor Peterson
Council Member Rogers
Council Member Lantz
Mayor Frank

Absent - None

Mayor Frank announced that a scheduled public hearing to consider a rezoning request has been tabled until the next meeting by the applicant.

✓ Planning and Community Development Director Turner presented a brief overview of Planning Commission 2000 Annual Report. Mrs. Turner said that Planning Commission recommended adoption of the Bike Plan which City Council adopted and forming a Landscape Committee to implement a program involving private/public partnership to beautify public spaces. She also said that Planning Commission provided staff with guidance on the implementation of Proactive Zoning enforcement.

Representatives from the cast of Guys and Dolls, presented a brief performance of a spring musical to be held at Harrisonburg High School March 1-4. City Council was invited to attend a performance and the gala Saturday night March 3.

Council Member Fitzgerald offered a motion that Alison Banks be designated as Zoning Administrator. The motion was approved with a unanimous vote of Council.

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. He explained that these funds will be used to recover overtime money for the Police Department from a Division of Motor Vehicles Grant. Vice-Mayor Peterson offered a motion to approve this request for a first reading:

\$12,000.00 chge. to: 1000-32520 Division of Motor Vehicles Grant

\$12,000.00 approp. to: 1000-310231-41020 Salaries/Wages OT

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Fitzgerald
 Vice-Mayor Peterson
 Council Member Rogers
 Council Member Lantz
 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 a federal block grant will be used to purchase in-car video cameras and surveillance equipment. Council Member Fitzgerald offered a motion to approve this request for a first reading:

\$16,340.00 chge. to: 1000-33507 Block grant

\$14,500.00 approp. to: 310231-48211 New Machinery and Equipment

1,840.00 approp. to: 310331-48211 New Machinery and Equipment

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Fitzgerald
 Vice-Mayor Peterson
 Council Member Rogers
 Council Member Lantz
 Mayor Frank

Absent - None

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. He explained that these funds from the Department of Justice would reimburse the City for travel expenses to send a Police Captain for a drug project meeting. Vice-Mayor Peterson offered a motion to approve this request for a first reading:

\$409.29 chge. to: 1000-31901 Recoveries & Rebates

\$409.25 approp. to: 1000-310431-45530 Training and Travel

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Fitzgerald
 Vice-Mayor Peterson
 Council Member Rogers
 Council Member Lantz
 Mayor Frank

Absent - None

City Manager Baker presented a request for a supplemental appropriation for the Human Resources Department. He explained that these funds were encumbered from last year's budget and need to be reappropriated for this year's budget and payment. Council Member Fitzgerald offered a motion to approve this request for a first reading:

\$3,989.31 chge. to: 1000-31010 Amount from Fund Balance

\$2,372.81 approp. to: 1000-120511-45530 Training and Travel

1,416.50 approp. to: 1000-120511-46010 Office Supplies (personnel files)

200.00 approp. to: 1000-120511-45530 Other Operating Supplies (Service Award Pins)

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Fitzgerald
 Vice-Mayor Peterson
 Council Member Rogers
 Council Member Lantz
 Mayor Frank

Absent - None

City Manager Baker presented a request to increase the City Attorney's budget. He explained that the City Attorney sought legal advice from the Golf Course bond attorneys as requested by City Council. The attorneys have billed the City for this service and payment of this bill will exceed the 2000-2001 budget for other legal services. Vice-Mayor Peterson offered a motion to approve this request for a first reading:

\$3,824.00 chge. to: 1000-31010 Amount from Fund Balance

\$3,824.00 approp. to: 1000-120411-43152 Other legal services

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Fitzgerald
 Vice-Mayor Peterson
 Council Member Rogers
 Council Member Lantz
 Mayor Frank

Absent - None

Council Member Rogers said since the School Board has decided to reject the Lucy Simms School as a potential elementary school site, City Council will decide the future of the building. He said, "I propose we construct a Lucy Simms Community Learning Center." It would allow the City to expand on programs like the Boys and Girls Club and OP Shop which is already housed in the building. He also recommended classes for the elderly, adult education and English as a second language. He said, "If the Council really has the vision, not just a vision for the northeast community, but a center for all 36,000 of our citizens, then perhaps next spring we can break ground for a new swimming pool." He encouraged Council to make a financial commitment to the project. Council Member Lantz offered a motion that City Manager Baker form a committee to begin exploring options for the building's use.

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Fitzgerald
 Vice-Mayor Peterson
 Council Member Rogers
 Council Member Lantz

No - Mayor Frank

Absent - None

City Manager Baker presented a request to supply City water to approximately 10 lots in the Rawley Springs area. He explained that the City's moratorium conditions will apply to these lots because they were on record as of November 1, 1992. Rockingham County cannot provide water to the area. He requested authorization to discuss this matter with City Attorney Miller and Public Utilities Director Collins. Council Member Fitzgerald offered a motion authorizing City Manager Baker to proceed with negotiating a contract. The motion was approved with a unanimous vote of Council.

City Manager Baker reported that he had received a letter from Sheriff Don Farley requesting that a security study be conducted at the Rockingham County Court House. Sheriff Farley is recommending metal detectors be placed at some doors of the building and other doors locked. It will require two deputies be placed at each detector. Sheriff Farley has estimated it will require hiring five full-time deputies starting April 1. The City's share of the cost will be \$30,000 for this fiscal year. Mr. Baker noted that he will have further information at the next Council meeting.

Council Member Fitzgerald offered a motion that Paul S. Cline, 153 Diamond Court, be appointed to a second term on the Harrisonburg Electric Commission, to expire on December 31, 2003. The motion was approved with a unanimous vote of Council.

Council Member Fitzgerald offered a motion that James A. McKee, 270 Campbell Street, be appointed to a first term on the Harrisonburg Electric Commission, to expire on December 31, 2003. The motion was approved with a unanimous vote of Council.

At 8:10 p.m., Vice-Mayor Peterson offered a motion that Council enter a closed session for the purpose of discussing and considering prospective candidates for appointment to the following boards and commissions: Harrisonburg Electric Commission, Golf Course Advisory Committee, Harrisonburg Transportation and Safety Commission, Social Services Advisory Board, and the Harrisonburg Parking Authority. 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). IN ADDITION, the purpose of the closed session is for the discussion of matters related to two (2) parcels of real property. A closed session is permissible for this purpose pursuant to Section 2.1-344.A.3 of the Code. IN ADDITION, the purpose of the closed session is for the discussion of matters related to probable litigation. A closed session is permissible for this purpose pursuant to Section 2.1-344.A.7 of the Code.

At 9:30 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 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.

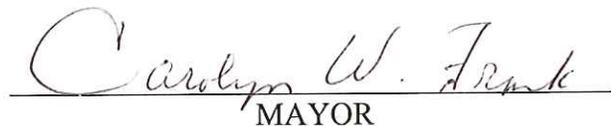
Vice-Mayor Peterson offered a motion that Phyllis Armentrout Wong, 447 Northfield Court, be appointed to an unexpired term on the Social Services Advisory Board to expire on July 1, 2001. The motion was approved with a unanimous vote of Council.

Vice-Mayor Peterson offered a motion that Leonard VanWyk, 115 Southampton Drive, be appointed to the Harrisonburg Transportation and Safety Commission. The motion was approved with a unanimous vote of Council.

Vice-Mayor Peterson offered a motion that DiAnn P. Hand, 135 Betts Road, be appointed to an unexpired term on the Harrisonburg Parking Authority, to expire on November 28, 2001. The motion was approved with a unanimous vote of Council.

At 9:33 p.m., there being no further business and on motion adopted the meeting was adjourned.


CLERK


MAYOR