

REGULAR MEETING

APRIL 24, 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, Joseph Gus Fitzgerald; City Clerk Yvonne Bonnie Ryan, CMC/MMCA, and Police Captain Malcolm Wilfong. Absent: Council Member Hugh J. Lantz and Chief of Police Donald Harper.

Girl Scout Troop #322 from Harrisonburg including Kayleigh Lambert, Emily Sharrer, Elizabeth Hawk, Emily Anderson, Helen Ross, Elizabeth Ross, Kendall Hancock, Kaitlyn Hancock, Megan Alexander, and Rachel Downey delivered the invocation and led everyone in the Pledge of Allegiance. The group also included troop leaders Sherry Anderson and Kathy Hancock.

Human Resource Director Whistleman introduced new City employees: Tom Barner, Linda Byers, Paul Sweeney, Transportation Department; John Campbell, Brent Shifflett, Police Department; Mike Morris, Donald Owens, Public Works Department; and Bill Crapo, Fire Department.

Vice-Mayor Peterson offered a motion to approve the consent agenda, including approval of the minutes and the second reading of an ordinance amending Section 10-3-97(9) and Section 10-3-46(3) of the Harrisonburg City Code. The motion also included an ordinance enacting an Auxiliary Police Force. The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Rogers

Vice-Mayor Peterson

Council Member Fitzgerald

Mayor Frank

Absent - Council Member Lantz

City Manager Baker presented the proposed 2001-2002 budget to the City Council. He reiterated that the City continued to be in a growth situation as evidenced by the latest census figures of 40,468 or a 31.8% growth since the 1990 census. The proposed budget includes **no** increase in tax rates; however, the rate for residential refuse collection is proposed to increase from \$8.30 per month to \$10.00. This budget was developed using the current real estate tax rate of \$.62 per \$100 valuation. Mr. Baker reviewed the goals established at the 2000 retreat which includes, enhance our economy by cooperating with Rockingham County in economic development and education; maintain a first-rate school system; make downtown Harrisonburg the cultural center of the Shenandoah Valley, maintain public health and safety; develop our future infrastructure of public facilities; have our citizens stay well-informed about their local government; preserve Harrisonburg's historic heritage; maintain an efficient road network; to get and keep good employees; to continue to improve our budget decision process; enhance revenue sources for the City; keep citizens informed by improving City Council's public communication; and maintain an effective system of recreation facilities and programs. The proposed budget reflects sensitivity to the need to keep expenditure levels to a minimum as evidenced by the ability to provide current service levels without any tax rate or fee increases in the General Fund. It also reflects a commitment to the City's adopted Mission Statement, Organizational Values, 2000 City Council Retreat goals and Total Quality Management. Primary emphasis of the budget is placed on **EDUCATION, PUBLIC SAFETY, ROADS AND PUBLIC UTILITIES**. Capital outlay expenditures have been reviewed with an attempt not to delay items that would reduce our current service levels or would add greatly to future costs. Most priorities one and two Capital Improvement projects are proposed to be funded. Emphasis is placed on capital outlays in this budget due to the aging infrastructure of the City. No priority three projects are proposed due to funding restraints. In attempting to hold down operating costs, a detailed review was made by all departments to monitor expenditures in a more meaningful way. Reviews of operations continue in order to provide for more coordination between departments in the use of the personnel and equipment. The proposed budget represents a 3.1% increase in net expenditures from the fiscal year 2001 budget as amended (34.4% increase when compared to the original 2001 budget), while moving forward toward many of the City's priorities. General Fund revenues are projected to increase by more than \$2.8 million with primary increases being based on the bi-annual real estate reassessment. Some increases will occur in property taxes, business license taxes, lodging taxes, meal taxes, and the new utility consumption taxes. Also, HEC is expected to increase its contribution by \$200,000. Harrisonburg continues to compare favorably with real estate and personal property tax rates around the state. Mr. Baker reviewed the surrounding areas real estate tax rates. In the General and Financial Administration operating expenditures several of these departments show decreases and only modest increases in most others. The Data Processing budget has increased 40.2% due to an increase in capital outlay expenditures including funding for the upgrade of the Pentamation software and purchasing Encompass software allowing Planning and Community Development to automate their permitting process. The Board of Elections budget has increased mainly for postage and capital outlay expenditures. Voter cards may need to be mailed out to each registered voter due to redistricting. Also due to budget cuts by the Governor, the registrar will have to start purchasing her own forms that were previously provided by the state. While this will not have a material impact on the City, it is an example of the state government's philosophy of shifting more expenses to the localities. The total Police Department budget has increased 8.3% when compared to the amended fiscal year 2001 budget. The majority of the increase is due to personnel costs. The Police Department Operations budget includes two new Police Officer II's and one supervisor (Sergeant). The two new police officers will provide additional uniformed patrol officers in the field. The new Sergeant will provide additional supervision for the increasing number of new officers that have been hired over the past several years, as well as, oversee the operation of several specialty units. Also, the upgrade of one Investigator to supervisor (Sergeant) will provide a supervisory position within the local Drug Task Force. Funds are also included for a new police auxiliary unit. The Fire Department operating budget has increased significantly primarily due to increased capital outlay expenditures. The City completed its commitment in fiscal year 2001 to implement the National Fire Protection Association Two-In-Two-Out rule that is being enforced by OSHA. Funds are included to provide an additional 2.5% increase for shock trauma technicians and an additional 5% increase for cardiac

technicians. The Fire Suppression budget includes \$340,000 for the replacement of a front line fire engine (Engine 25) which was due for replacement two years ago. Funding is also provided for the installation of a vehicle exhaust emissions system to be installed in two of the City's fire stations at a cost of \$95,000. The Emergency Operations Center budget includes \$475,000 for a complete upgrade of the E-911 equipment. This is necessary due to the change from GTE to Verizon. As with all expenditures of this type, Rockingham County will be responsible for 50 percent of these costs. There is no change to the City/County Jail budget which provides for the cost of court appointed attorneys. Most court related costs are contained under the heading of Joint Operations. Building Inspections shows a funding decrease primarily due to a reduction in capital outlay expenditures. Operating expenditures essentially maintain level funding compared to fiscal year 2001. Animal Control shows mainly level funding compared to fiscal year 2001. The SPCA has asked for an increase of 4% in contributions to the animal shelter. The City is able to save considerable money by not having to operate its own shelter and the request is recommended. The Public Work Division budget shows an increase in general engineering funding primarily due to the implementation of the GIS system. The Public Works Division budgets shows an overall 2.4% decrease in funding for fiscal year 2002 when compared to the amended 2001 budget. This budget also includes funds to continue the City's commitment to an average 15 year resurfacing schedule and a new Transportation Planner to provide a more proactive approach to the City's transportation planning. Other expenses in the budget includes replacing various construction equipment, replacing deteriorated sidewalks, rebuilding curb-gutter-storm drains, a new traffic signal, updating street signs, and repaving Liberty Street from Rock Street to Elizabeth Street. The street lights budget has increased due to increased electricity usage and participation with HEC in painting street light poles. General properties reflects a slight decrease in funding. Capital outlay includes an upgrade electrical service deficiencies in the Municipal Building and paving the parking lot behind the Planning and Community Development offices. The appropriation to the Community Services Board has increased by 19.4% because of an increased caseload. The Parks and Recreation Department budget includes replacing a tractor, roadway and pathway paving, replacing park fencing, tennis and basketball court renovations, racquetball court renovations, playground equipment replacement, comfort station renovation, trail development, playground equipment replacement, constructing a third multipurpose field at Smithland Road, replacing vinyl inflatable slide and installing a computerized chemical controller filter system at Westover Pool. The Planning and Community Development budget includes funding for computer upgrades and a new part-time position for code enforcement during the summer months. This position would provide a more efficient enforcement of junk automobile complaints, weed and grass complaints, and other generalized complaints. The Economic Development budget shows an increase due to personnel and marketing (advertising) costs. Marketing expenditures are increased in order to aggressively recruit businesses for the remaining parcel within the Harrisonburg Technology Park and to continue the City's involvement with the Shenandoah Valley Partnership. Most items that have been funded in previous years are proposed to remain at fiscal year 2001 levels. Two new programs are being proposed to receive funding including the Harrisonburg-Rockingham Free Clinic and the Arts Council of the Valley. Funding for the Harrisonburg-Rockingham Visitors and Convention Bureau is proposed to be increased as an investment towards attracting more tourism dollars. Increased funding is also proposed for the Salvation Army and the Valley Program for the Aging Services. The operating appropriation for the Massanutten Regional Library is proposed to increase approximately 4.2%. The Juvenile Detention Center shows a decrease. It is also proposed that the Central Garage continue to provide labor for the Harrisonburg Rescue Squad's vehicle maintenance and that each Rescue Squad volunteer that is a City resident receive one free auto decal. Joint Operations covers the City's share of judicial, sheriff and jail expenditures and a portion of the Health Department's rent. A major portion of this increase is due to increased staffing at the courthouse. The Harrisonburg Rockingham Social Services District budget reflects an increase due to an increase in personnel because of a significant caseload for child protection care, adult protective care and foster case services. The administrative split will remain at 62% for Rockingham County and 38% for the City. The contribution to the Shenandoah Valley Regional Airport remains unchanged. Reserve for Contingencies is budgeted at \$200,000. This appropriation is for unplanned expenditures. Funds used from this line are transferred to a particular expenditure line item before actually being spent. General Fund debt has increased from \$1,679,709 to \$1,820,042. The increase is primarily due

to the debt service on the Hillandale Park land purchased from Bridgewater College. Maintaining the City's infrastructure includes an ongoing widening of Cantrell Avenue, resurfacing nearly seven miles of City streets, replacing deteriorated sidewalks, replacing various construction equipment, rebuilding the steam plant, constructing a third multipurpose field at Smithland Road, playground equipment replacement, racquetball court renovations, Simms building renovation, purchasing new school buses, western raw water line improvements, eastern water source development, water treatment plant expansion, Stone Spring/Erickson Avenue extension improvements, Burgess Road improvements, East Market Street improvements, Blacks Run sewer interceptor, and a public safety facility. Schools represent the largest single expenditure in the City's budget. The proposed transfer from the General Fund is 37.5% of the total General Fund expenditures. School funding increases for the last ten years have varied from 2.50% in 1997 to a high of 11.94% in 1994. The City's proposed funding represents a 7.1% increase over the current year's funding. This proposed appropriation represents a little over 50% of the estimated new General Fund revenues for 2002. For the City to grant a 7.1% funding increase again speaks loudly as to the priority placed on schools. The City's total projected fiscal year 2002 revenue from all property taxes (real estate and personal), including penalties and interest, is \$17,317,622. The proposed appropriation to the School Division is \$21,173,902. In addition, another \$290,000 is proposed in the Public Transportation budget for the purchase of four new school buses and \$130,000 for two special education school buses. The Water Fund budget has increased 2.4% from the current budget, primarily due to an overall increase in operating expenditures. The Sewer Fund budget has increased 3.0% from the current budget, primarily due to an overall increase in operating expenditure. The operating and new construction contribution to the Harrisonburg-Rockingham Regional Sewer Authority (HRRSA) is expected to increase substantially. The Public Transportation Fund overall budget has decreased 23.3% from fiscal year 2001 budget as amended primarily due to a large reduction in purchases of transit buses. The proposed expenditures in the Sanitation Fund clearly reflect the City's commitment to protecting our environment. It is proposed to improve customer service by picking up recyclables the day after holidays to be consistent with refuse collection. Finally, the rate for residential refuse collection is proposed to increase from \$8.30 per month to \$10.00 and for commercial collection from \$15.70 per month to \$17.40 as indicated in the fiscal year 1999-00 budget message, which is due primarily because of the rebuilding of the Resource Recovery Facility. The Parking Authority Fund shows an increase in expenditures primarily due to increased personnel costs. Construction of the golf course is still being completed. As long as construction remains on schedule, a fall 2001 opening is scheduled. Full play is scheduled for the spring of 2002. Staff has identified the following objectives for the golf course. First, the development of an aggressive marketing plan to ensure maximum use, profitability and the achievement of desired financial objectives. Second, the development of a business plan that will provide affordable golf, golf instruction and increased tourism. Third, maintaining the facility to the highest quality to ensure maximum player enjoyment, challenge and return play. Fourth, developing partnerships with the school systems and local colleges to maximize play during weekdays, provide education opportunities and maximize revenue potential. Finally, working jointly with the First Tee program to provide instructional programs and educational opportunities for all youth. The Central Garage Fund has increased only slightly primarily due to a reduction in capital outlay which is offset somewhat by the addition of a new position. The Central Stores Fund has increased slightly from the current funding level due to capital outlay expenditures. Each department has made a commitment to continuously look for ways to become more cost efficient. The new employees that are being added are necessary to maintain and improve the current service levels. Most departments will continue to operate with the same number of employees as this year. It becomes increasingly important that the City maintain a competitive wage and fringe benefit package in order to attract and retain highly qualified and motivated employees who in many cases are being asked to do more with less.

At 8:33 p.m., Mayor Frank closed the regular session temporarily and called the evening's public hearing to order. The following notice appeared in the Daily News-Record on Monday, April 16, 2001.

CITY OF HARRISONBURG, VIRGINIA

PROPOSED BUDGET FOR

FISCAL YEAR ENDED JUNE 30, 2002

For information and fiscal planning purposes only

A public hearing will be held by the Harrisonburg City Council on Tuesday, April 24, 2001 at 7:30 p.m. in the Harrisonburg Municipal Building, 345 South Main Street, Harrisonburg, Virginia. Interested citizens are encouraged to attend and express their views.

2001-02	2000-01		
As	As		
<u>Revenue-By Funds</u>	<u>Proposed</u>		<u>Amended</u>
General	56,433,194		50,656,527
School	36,195,788		34,146,849
Friendship Industry Grant	-		124,411
General Capital Projects	3,345,000		6,930,468
School Capital Projects	-		5,746,123
Water Capital Projects	1,876,300		3,954,394
Sewer Capital Projects	1,394,600		3,517,100
Public Transportation Capital Projects			479,816
Sanitation Capital Projects	20,881,175		4,160,556
Parking Authority Capital Projects	-		105,087
Golf Course Capital Projects	59,248		4,858,460
Water	5,824,464		5,688,607
Sewer	6,185,631		6,003,711

Public Transportation	3,604,326	4,702,709
Sanitation	7,879,989	8,069,153
Parking Authority	250,380	235,143
Golf Course	818,226	

Central Garage	605,049	599,141
Central Stores Operating	<u>102,408</u>	<u>82,644</u>
Gross	145,455,778	140,060,899
Inter fund transfers	<u>(32,742,473)</u>	<u>(30,095,438)</u>
Net	<u>112,713,305</u>	<u>109,965,461</u>

Expenditures - By Funds

General	56,433,194	50,656,527
School	36,195,788	34,146,849
Friendship Industry Grant	-	124,411
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Copies of the proposed budget in its entirety are available for public review in the City Manager's office, 345 South Main Street; the Massanutten Regional Library, 145 South Main Street and on the City's Internet web site at (<http://www.ci.harrisonburg.va.us>).

Roger D. Baker

City Manager

City of Harrisonburg, Virginia

Mayor Frank called on anyone present desiring to speak either for or against the 2001-2002 budget.

Polly Fravel read the following statement: I am speaking in support of the proposed budget submitted by the Harrisonburg City School Board. As an educator, I see every step of the school budget process from the fall to the spring when it is submitted to you, the Council. Teachers, principals and administrators, Dr. Ford and the school board work diligently on being fiscally responsible in the use of their resources and prudent in the submission of their requests. Everyone analyzes and evaluates their needs, cutting and trimming their list of requests. Many times agonizing over what items are the most needed for the coming year. This results in a bare bones budget, of which you now have before you. Of the \$2,500,000 proposed increase, \$1,100,000 is for operating expenses over which there is no control. These include cost increases in utilities, bus transportation, and insurance premiums. \$1,000,000 is to fund salaries to meet the goal of the school board for teacher salaries to be in the top 25% of the state. I have served on the salary committee for the last three years. After much work, Dr. Ford and the committee have developed a competitive salary scale that helps in attracting and retaining quality educators. But, to remain competitive and reach the benchmarks of salary scales across the state, the committee has recommended a minimum 6% overall increase. Data received last week from the Virginia Education Association shows school systems in the surrounding area proposing salary increases in the range of 4%-7.5%. Elsewhere in Virginia there are proposals of increases of up to 15%. Harrisonburg attracts quality educators because of small class sizes, competitive salaries and attractive benefits. We are proud of our excellent teachers and staff and we want them to remain in our system. We also want new and experienced teachers to continue to be interested in applying for new positions. To decrease the funding of the proposed budget would certainly jeopardize the needed additional personnel positions as well as salary increases. We strongly encourage you to find a way of fully funding the proposed school budget. An investment now will help to maintain the high standard of education that makes us proud to teach in the City of Harrisonburg.

Dr. Donald Ford, Superintendent of Harrisonburg City Schools, commended City Council for their past support for the schools. He also reiterated that the School Board had carefully examined the budget eliminating many proposed early childhood programs, proposed positions, supplies and materials before it was presented to City Council. He said, AI believe that not increasing taxes and maintaining the second lowest tax rate among independent cities is something to be proud of, if and only if, we can meet the needs of the students here in Harrisonburg. There being no others desiring to be heard, the public hearing was declared closed at 8:40 p.m., and the regular session reconvened. City Manager Baker said that he was withdrawing his proposal that the budget be adopted tonight (April 24th) until all five Council Members were present to act on the budget.

Police Captain Wilfong presented a request for a Partnership Fair on April 28th at the Harrisonburg Municipal City lot. He said that the Harrisonburg Police Department, in conjunction with students from James Madison University public relations program, will be hosting a Partnership for Prevention Fair on April 28th from 10:00 a.m. until 3:00 p.m. Partnership for Prevention is an effort to offer community members an opportunity to come together to get to know one another, the Police Department and to learn more about how they can better protect themselves and their neighborhoods, specifically through Neighborhood Watch. The fair will provide information booths from community organizations, demonstrations from several police factions, food and music all centered around the theme Safety in Neighbors. Vice-Mayor Peterson offered a motion to approve this request. The motion was approved with a unanimous vote of Council Members present.

Vice-Mayor Peterson offered a motion to table a request from the Downtown Retail Merchants Association until the next meeting. City Council requested that a representative be present to answer questions concerning the request for more space for the Annual Cruise In and Craft Show. The motion was approved with a unanimous vote of Council Members present.

City Manager Baker presented for Council's consideration a request by the American Legion for a special use permit. He said that a public hearing was held on April 10th and Planning Commission recommended approving this special use permit. The special use permit would allow the location of a benevolent fraternal organization within the M-1 General Industrial District located on Mt. Clinton Pike. This request was tabled at the April 10th meeting until a second reading could be held amending Section 10-3-97 (9) of the Zoning Ordinance. Since the second reading was held tonight (April 24th), Vice-Mayor Peterson offered a motion to approve this special use permit. The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Rogers

Vice-Mayor Peterson

Council Member Fitzgerald

Mayor Frank

Absent - Council Member Lantz

City Manager Baker presented for Council's consideration a request by Burg Rental, LLC, for a special use permit. He said that a public hearing was held on April 10th and Planning Commission recommended approving the special use permit. However, the request was tabled until a second reading is held amending Section 10-3-46 (3) of the Zoning Ordinance. Since the second reading was held tonight (April 24th), Vice-Mayor Peterson offered a motion to approve this special use permit. The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Rogers

Vice-Mayor Peterson

Council Member Fitzgerald

Mayor Frank

Absent - Council Member Lantz

Council Member Fitzgerald said that he was concerned that City Council has become lax in letting the conversation drift once in closed session. He proposed four principles in support of limiting and managing closed sessions. 1) Council will discuss topics in closed session only if the topics meet the strictest interpretation of the Virginia Freedom of Information Act, and only if an over-riding necessity exists for closing the meeting. 2) The City Manager or his designee will, where possible, inform the Council in advance of the general reasons for a closed session. 3) Once a topic has been raised in closed session, Council Members agree not to discuss the topic publicly until it has been brought up in open session. 4) Discuss nothing after a closed session (except to make uncontested and non-controversial appointment). If a topic arises that requires discussion, put it on the agenda for the next meeting. Mr. Fitzgerald said he didn't find any fault in the way staff has handled requests for closed session; however, these guidelines would help Council better conform to Virginia's Freedom of Information Act. He said it is primary a case of Council needing a level of discipline on the Freedom of Information Act. Following further discussion and comments, Council Member Fitzgerald offered a motion to adopt these four guiding principles on managing the closed session. The motion was approved with a unanimous vote of Council Members present.

City Attorney Miller commented that this Council has never taken any action in closed session that was outside the boundary. Since this Council has been in session the law has been adhered to and if topics have gone astray, it has quickly been brought back to the subject. He also pointed out that no action has ever been taken in closed session.

Director of Public Works Baker presented a request for a supplemental appropriation. He explained that Eastern Mennonite University reimbursed the City monies for construction of the Park Road project. Mr. Baker also said that these funds will be used for the North Main Street bridge replacement project since the bids received were higher than expected. Council Member Fitzgerald offered a motion to approve this request for a first reading:

\$150,000 chge. to: 1310-31906 Reimburse Street Construction

\$150,000 approp. to: 1310-910141-48615 North Main Street Bridge - Blacks Run

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Rogers

Vice-Mayor Peterson

Council Member Fitzgerald

Mayor Frank

Absent - Council Member Lantz

City Manager Baker presented a request for a supplemental appropriation for the Craft House. He explained that these funds would be used to purchase the Craft House from the Harrisonburg Redevelopment and Housing Authority. The City will pay the HRHA \$329,000 for the Craft House, then the HRHA will reimburse the City for 20% of the purchase price. The City will apply for an ISTEAs grant for 80% of the purchase price. The net result will be that the purchase will cost the City nothing. Vice-Mayor Peterson offered a motion to approve this request for a first reading:

\$263,200 chge. to: 1000-33527 ISTEAs Grant

65,800 chge. to: 1000-31802 Reimbursement from HRHA

\$329,000 approp. to: 1000-810521-48281 Buildings and Grounds

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Rogers

Vice-Mayor Peterson

Council Member Fitzgerald

Mayor Frank

Absent - Council Member Lantz

City Manager Baker presented a request to transfer funds in Public Transportation. He explained that these funds would be transferred from the Public Transportation Fund to Public Transportation Capital Projects Fund. This money will be used to complete the construction at the Public Transportation building. Vice-Mayor Peterson offered a motion to transfer these funds.

\$20,000 chge. to: 2013-872081-48131 Radio equipment

5,100 chge. to: 2013-872081-48254 School buses

\$25,100 approp. to: 2013-892081-49216 Transfer to Transportation Capital Projects

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Rogers

Vice-Mayor Peterson

Council Member Fitzgerald

Mayor Frank

Absent - Council Member Lantz

Director of Public Utilities Collins presented a request to transfer sewer funds. He explained that these funds will close out the Capital Project North Industrial Park Sewer and will be transferred to Capital Project Sewermains Upgrade. These funds will upgrade existing sanitary sewer mains which are designated high maintenance or have experienced multiple blockages causing sewer backups into customer's dwellings. Council Member Rogers offered a motion to transfer these funds.

\$11,265.62 chge. to: 1322-911161-48652 North Harrisonburg Industrial Park Sewer

\$112,265.62 approp. to: 1322-911161-48651 Upgrade Sewer mains

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Rogers

Vice-Mayor Peterson

Council Member Fitzgerald

Mayor Frank

Absent - Council Member Lantz

Leonard VanWyk encouraged City Council not to cut the Transportation Planner's position out of the budget. He said, "A group consisting of Jim Baker, Tom Austin, Stacy Turner, Bill Blessing and myself met with Charlottesville's Transportation Planner to discuss and determine whether an outside consultant was needed to consult a transportation study of Harrisonburg. The entire group thought it would be a better idea to use the funds to hire a full-time Transportation Planner on staff to coordinate over time the various issues concerning transportation in Harrisonburg. He emphasized that if the City had a Transportation Planner ten years ago, the transportation system today would be far more sophisticated, smoother, and more friendly to bicyclists and pedestrians."

Naomi Curry invited City Council Members and anyone City Manager Baker would be appointing to a committee to determine the use of the Simms School building to attend a workshop on Saturday, May 12th. The workshop will allow people to provide input into the plans for the building.

City Manager Baker announced that the 2001 Fundfest concert series will kick off on May 2nd and end on August 22nd. Fundfest is entering its seventh year featuring music and food while raising money for local charities.

City Manager Baker noted that School Superintendent Ford had to notify occupants using the Simms building that as of August 31st the School Board would no longer be control of the building. Mr. Baker said that he has been explaining to occupants of the building that the City has no desire to ask anybody to move September 1st.

At 9:35 p.m., Vice-Mayor Peterson offered a motion that Council enter a closed session for discussion of matters related to the purchase of real property. A closed session is permissible for this purpose pursuant to Section 2.1-344.A.3 of the Code. In addition, Vice-Mayor Peterson moved for a closed session for the purpose of discussion of appointment to the Community Services Board. A closed session is permissible for this purpose pursuant to Section 2.1-344.A.1 of the Code.

At 10:00 p.m., the closed session was declared closed and the regular session reconvened. City Clerk Ryan read the following statement which was agreed to with a unanimous recorded vote of 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 closed meeting were convened, were heard, discussed or considered in the closed session by the City Council.

Council Member Fitzgerald offered a motion that Laura H. Zarrugh, 656 Wyndham Woods Circle, be appointed to a first term on the Community Services (Chapter 10) Board to expire on July 1, 2004. The motion was approved with a unanimous vote of Council Members present.

At 10:02 p.m., there being no further business and on motion adopted the meeting was adjourned.

CLERK

MAYOR

