

MINUTES - REGULAR MEETING OF CITY COUNCIL - FEBRUARY 11, 2003

REGULAR MEETING

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At a regular meeting of Council held this evening at 7:30 p.m., there were present: Mayor Joseph Gus Fitzgerald; City Manager Roger Baker; Assistant City Manager Kurt Hodgen; City Attorney Thomas H. Miller, Jr., Vice-Mayor Larry M. Rogers; Council Member Carolyn W. Frank, Dorn W. Peterson, Hugh J. Lantz; City Clerk Yvonne Bonnie Ryan, CMC/MMCA,

and Chief of Police Donald Harper.

Vice-Mayor Rogers gave the invocation and Mayor Fitzgerald led everyone in the Pledge of Allegiance.

Council Member Peterson offered a motion to approve the minutes of the consent agenda and to dispense with the reading of the minutes from the previous meeting. The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Peterson

Council Member Frank

Council Member Lantz

Vice-Mayor Rogers

Mayor Fitzgerald

Absent - None

Kate Hoffmeyer, Olga Mazur, and Anika Swartz, from the cast of Cinderella, presented a brief performance of a musical to be held at the Harrisonburg High School Auditorium February 20-23. City Council was invited to attend the performances.

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City Manager Baker presented the following resolution for Council's consideration. Harrisonburg Downtown Renaissance committee members made a detailed presentation to Council January 28. Action on the resolution was tabled January 28, 2003.

CITY OF HARRISONBURG

RESOLUTION

AUTHORIZING PARTICIPATION IN THE VIRGINIA MAIN STREET AFFILIATE PROGRAM

WHEREAS, the Virginia Main Street Program has been established in the Virginia Department of Housing and Community Development to assist localities in developing public-private efforts to revitalize their downtown commercial areas, and

WHEREAS, interested Virginia cities, towns and counties that are exploring downtown revitalization may participate as Affiliate Communities, and

WHEREAS, Affiliate Communities will have access to all Virginia Main Street training and limited technical and on-site assistance, as resources permit, and

WHEREAS, participation as an Affiliate Community provides invaluable networking opportunities, linking communities currently undergoing revitalization and communities that have experienced revitalization, and

WHEREAS, Harrisonburg Downtown Renaissance desires to participate in the Virginia Main Street Affiliate Program,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF HARRISONBURG

SECTION 1. That Harrisonburg Downtown Renaissance applies for selection to participate in the Virginia Main Street Affiliate Program with the specific goal of economically revitalizing the designated Main Street district within the context of preserving our rich historic and cultural heritage using the

Main Street Approach.

SECTION 2. It is recognized that downtown revitalization requires an on-going commitment, continuous attention and a full public-private partnership. The Main Street Program is considered one of many economic and community development tools used by a locality.

SECTION 3. The City of Harrisonburg understands that participation as an Affiliate Community does not guarantee selection as a Designated Main Street Community, and Harrisonburg will be eligible to receive Affiliate Community services from Virginia Main Street as long as requirements stated in the Program Guidelines are met.

SECTION 4. That Harrisonburg Downtown Renaissance is designated to assist in the submission of the application.

ADOPTED THIS 11th day of February, 2003.

Joseph Gus Fitzgerald, Mayor

Attest:

Yvonne Ryan, CMC, City Clerk

Council Member Peterson offered a motion to approve the resolution for the Harrisonburg Downtown Renaissance. The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Peterson

Council Member Frank

Council Member Lantz

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Vice-Mayor Rogers

Mayor Fitzgerald

Absent - None

Public Works Director Baker presented an overview of a Port Republic Road Corridor study conducted by Hayes, Seay, Mattern and Mattern (HSMM). Drew Williams, Transportation Planner, for the City said that HSMM collected information from VDOT, JMU, and the City in preparing the report. The consultants made the following recommendations: 1) Modify the existing signal timings and phasings along Port Republic Road. This modification includes the coordination of traffic signals in the corridor. 2) Follow up with James Madison University and VDOT to ensure that the current study of the intersection of Bluestone and the entrance to the parking deck is completed and that the issues affecting traffic on Port Republic Road are addressed satisfactorily. 3) At Neff Avenue, consider reconfiguration of the intersection including dedicated left and right turning movements. 4) At Bluestone Drive, relocate the stop bar for the southbound right-turn movement closer to the existing crosswalk. Moving the stop bar will improve visibility and enhance the ability to turn right on red, improving the safety and efficiency of this movement. 5) Consider the addition of pedestrian crossing signs in advance of Bluestone Drive to inform drivers of the high levels of pedestrian activity in this location. 6) At Devon Lane, consider striping or widening the northbound approach to accommodate an exclusive left-turn lane. 7) Monitor traffic at Bluestone to ensure that extraordinary delays are not experienced for traffic turning left from Bluestone onto Port Republic Road. 8) Consider the development of a Traffic Management Plan for use during major university events. Students using the City's bus system would alleviate traffic congestion on Port Republic Road. He said that since a parking garage was constructed on the JMU campus, ridership on the buses has declined.

The following discussion by Council Members relative to the report included: adding an exclusive right turn movement and exclusive left turn movement at the intersection of Port Republic Road and Neff Avenue; concern that in 1998 Devonshire Home Owners Association donated land to the City to avoid interference with parking along Devon Lane; JMU's parking deck having negative impact on bus service; and discussion with JMU about installing a traffic signal at the parking deck. Following further discussion and comments, Council agreed to the recommendations submitted by Hayes, Seay, Mattern & Mattern with the exception of striping or widening the northbound approach to accommodate an exclusive left-turn lane at Devon Lane.

Public Utilities Director Collins presented a brief overview of the City's water moratorium. He said that the City stopped selling water to county customers over a decade ago because of water and sewer capacity concerns. Currently the City provides approximately 90,000 gallons a day to county customers. Harrisonburg residents currently use an average of 6.5 million gallons daily. Mr. Collins said with the addition to the City's treatment plant, scheduled to be completed next year, and additional water lines set to open in 2006, the plant's capacity will jump to 15 million gallons per day. He proposed allocating Harrisonburg's daily distribution to the county at 1.4 million gallons. The City plant would still have a substantial cushion for high-demand days and the plant could also handle moderate increases in water use due to additional development. Mr. Collins reviewed the language in subsection (b) and (c) of the proposed

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ordinance and noted that county residents would have to get authorization from the Director of Public Utilities to hook up to the City's water system. Commercial or industrial customers would have to obtain City Council approval. Mr. Collins also expressed concern about potential drought conditions until the City's water treatment plant is completed in 2004.

The following discussion by Council Members relative to lifting the water moratorium included receiving additional dollars from the county each year could keep water rates low for City residents, additional water capacity benefits the City, water restrictions in the past, water in the future, effective date, and lifting moratorium could also serve as a pre-emptive strike against a state mandate to share resources. Council requested that City Manager Baker and City Attorney Miller review the draft ordinance and present it at the February 25th Council meeting for a first reading.

City Manager Baker presented for Council consideration distribution of Dog and Cat Sterilization Funds received from the Department of Motor Vehicles. He explained that these funds were generated by a special Virginia license plate program. The locality will receive \$735.00. Council agreed to table distribution of these funds until the February 25th meeting.

Social Services Director Driver presented a request for a supplemental appropriation for the Social Services District. He explained that additional funding is needed to pay for expenditures that are mandated by the Comprehensive Services Act. The additional funds are needed due to the increase number of children being served and the higher cost of providing services. Vice-Mayor Rogers offered a motion to approve this request for a first reading, and that:

\$253,344.00 chge. to: 1000-31010 Amount from fund balance

\$253,344.00 approp. to: 1000-910511-47071 Expenditure of Social Services District

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Peterson

Council Member Frank

Council Member Lantz

Vice-Mayor Rogers

Mayor Fitzgerald

Absent - None

Bucky Berry, a resident of 877 North Main Street, complained about City employees not wearing identification badges.

Lisa Hawkins, attorney with Keeler and Obershain, P.C., presented the following resolution of support from the Chamber of Commerce.

RESOLUTION OF SUPPORT

WHEREAS, the Harrisonburg-Rockingham Chamber of Commerce believes that a vibrant downtown in the City of Harrisonburg is vital to the economic success of the City, County and surrounding community; and

WHEREAS, the Chamber has long supported downtown revitalization efforts, and

WHEREAS, the Chamber recognizes the volunteer dedication and commitment of the Downtown Retail Merchants Association, the Citizens for Downtown and the newly formed Harrisonburg Renaissance group and others,

Be it therefore that the Harrisonburg-Rockingham Chamber of Commerce urges the City Council of Harrisonburg to authorize the City of Harrisonburg to become an affiliate of the Virginia Main Street program to access its immense resources for downtown redevelopment,

And be it also resolved that the Chamber supports a coordinated effort amongst all groups working for the betterment of downtown Harrisonburg,

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And be it also resolved that the Chamber asks the City of Harrisonburg to explore funding of a professional position to coordinate such activities, and base funding for certain development projects at a level which the City's budget will allow.

Adopted by the Board of Directors of the Harrisonburg-Rockingham Chamber of Commerce on Thursday, January 30, 2003.

Christine Michaels

Executive Director

Ralph Geddes, a resident of 395 Franklin Street, suggested that the City utilize its water supply better for the residents.

Randy Fauls, a resident of 267 Pear Street, complained about the visibility and safety of cars entering his auto repair shop. Council referred this issue to the City Manager for a recommendation.

At 9:05 p.m., Council Member Lantz offered a motion that Council enter a closed session for the purpose of discussion or consideration of prospective candidates for appointment to the Board of Zoning Appeals, Industrial Development Authority, and the Golf Course Advisory Committee. A closed session is permissible for this purpose pursuant to Section 2.2-3711.A.1 of the Code of Virginia (1950), as amended (the code). A closed session will also be for the purpose of the discussion or consideration of the acquisition of real property for a public purpose, or the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City Council. A closed session is permissible for this purpose pursuant to Section 2.2-3711.A.3 of the Code of Virginia (1950), as amended (the Code). A closed session will also be for the purpose of consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the Council. A closed session is permissible for this purpose pursuant to Section 2.2-3711.A.7 of the Code of Virginia (1950), as amended (the Code).

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

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Council Member Lantz offered a motion that Jack E. Smith, 1043 Meadowlark Drive, be appointed to a first term on the Harrisonburg Golf Course Advisory Committee to expire on March 21, 2006. The motion was approved with a unanimous vote of Council.

Council Member Lantz offered a motion that Harold Teer, 1693 Massanetta Springs Road, be appointed to a first term on the Harrisonburg Golf Course Advisory Committee to expire on March 21, 2007. The motion was approved with a unanimous vote of Council.

Council Member Lantz offered a motion that George W. Pace, 503 Fairway Drive, be appointed to a first term on the Harrisonburg Golf Course Advisory Committee to expire on March 21, 2005. The motion was approved with a unanimous vote of Council.

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

CITY CLERK

MAYOR