

MINUTES - REGULAR MEETING OF CITY COUNCIL - MARCH 25, 2003

REGULAR MEETING

MARCH 25, 2003

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; City Clerk Yvonne Bonnie Ryan, CMC/MMCA, and Chief of Police Donald Harper. Absent: Council Member Hugh J. Lantz.

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 consent agenda, including approval of the minutes and the second reading approval of a Supplemental Appropriation for the Police Department, Fire Department and rezoning the Hardesty-Higgins House property. The motion also included adopting Section 4-2-29 of the Harrisonburg City Code. The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Rogers

Council Member Peterson

Council Member Frank

Mayor Fitzgerald

Absent Council Member Lantz

Harrisonburg Redevelopment and Housing Authority Director Michael Wong presented the following resolution for Council's consideration of approval:

RESOLUTION APPROVING THE HARRISONBURG REDEVELOPMENT

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AND HOUSING AUTHORITY S APPLICATION FOR A VIRGINIA COMMUNITY DEVELOPMENT BLOCK GRANT AND RESOLUTION IN SUPPORT OF RENOVATIONS TO THE LUCY F. SIMMS CONTINUING EDUCATION CENTER

WHEREAS, the City of Harrisonburg, Virginia (the City), in partnership with the Harrisonburg Redevelopment and Housing Authority (the Authority) has decided to assist in the renovation of the Lucy F. Simms Continuing Education Center (the Simms Project); and,

WHEREAS, the Simms Center will be renovated and utilized as a community education center in order to promote life long learning and to enhance the health, safety and welfare of the citizens of the Harrisonburg/Rockingham County community; and,

WHEREAS, funding for the Simms Project is expected to come from the following sources:

1. The Boys and Girls Club Capital Campaign	\$ 1,500,000
2. The Arc Op Shop of Harrisonburg/Rockingham County	500,000
3. Community Development Block Grant	700,000
4. Historical Tax Credits	800,000
5. City Contribution	<u>2,000,000</u>
Total:	\$ 5,500,000

WHEREAS, public notice and a public hearing concerning the City s contribution to the Simms Project pursuant to Section 15.2-2606 of the Code of Virginia has been held prior to the adoption of this resolution this 25th day of March; and,

WHEREAS, community input and participation concerning the Simms Project have been received through advertised community meetings held on March 6, 7 and 27, and April 13, 2002 and March 17, 2003; and,

WHEREAS, the City must have a plan to provide funding for the Simms Project in order to apply for the Community Development Block Grant; and,

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WHEREAS, approximately 697 people will benefit from the Simms Project. These people include children who receive services through the Boys and Girls Club, adults who receive continuing education and job training through the Arc Op Shop of Harrisonburg/Rockingham County, and other members of the community who will benefit from a community center devoted to life long learning. It is estimated that approximately 517 of the people who will benefit from the Simms Project will be low and moderate income persons; and,

WHEREAS, approximately 20 jobs will be created by the Simms Project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harrisonburg, Virginia, that:

- 1. The City approves the foregoing recitals, which are incorporated in, and deemed a part of, this Resolution as if fully set forth herein.**

- 2. The City agrees to contribute two million dollars (\$2,000,000) in order to provide for the completion of the Simms Project. The City may decide to borrow this contribution through a low interest EDGE loan or some other financing.**

- 3. The City agrees to take such actions as are reasonably necessary in the judgment of the City Council to enable the Simms Project to qualify for Historical Tax Credits, which actions shall include transferring ownership of the Simms Project to a taxable entity with an option to repurchase by the City. The details of such actions shall be set forth in future resolutions(s) of the City.**

- 4. The City agrees to continue to fund the operating costs of the Simms Project, including providing heating, cooling, facility repair, janitorial, landscaping and other services that are currently provided by the City during the time that the Simms Project has been transferred to a taxable entity, which time shall be approximately five years from the date of completion of the Project.**

- 5. The City Council approves the City's Virginia Community Development Block Grant Proposal, and authorizes Roger D. Baker, City Manager and Joseph G. Fitzgerald, Mayor, either of whom may act, to sign and submit all appropriate information necessary to apply for the Block Grant.**

This resolution shall take effect immediately upon its adoption.

READ AND ADOPTED: March 25, 2003

CERTIFICATE

	AYE	NAY	ABSTAIN	ABSENT
Joseph G. Fitzgerald, Mayor	X			
Larry M. Rogers, Vice-Mayor	X			
Carolyn W. Frank	X			
Hugh J. Lantz				X
Dorn W. Peterson	X			

Record of the roll call vote by the City Council of the City of Harrisonburg, Virginia, upon reading on a resolution titled "RESOLUTION APPROVING THE HARRISONBURG REDEVELOPMENT AND HOUSING AUTHORITY S APPLICATION FOR A VIRGINIA COMMUNITY DEVELOPMENT BLOCK GRANT AND RESOLUSION IN SUPPORT OF RENOVATIONS TO THE LUCY F. SIMMS CONTINUING EDUCATION CENTER," taken at a regular meeting of the City Council held on 3-25-03. Dated: March 25, 2003

(SEAL)

Mayor, City of Harrisonburg, Virginia

ATTEST: _____

Clerk, City Council of the City of
Harrisonburg, Virginia

The undersigned Clerk of the City Council of the City of Harrisonburg, Virginia (the City Council) hereby certifies that the foregoing is a true, correct and complete copy of a Resolution adopted by the City Council at its meeting duly called and held on March 25, 2003, in accordance with law, and that such Resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect as of the date hereof.

WITNESS my hand and the seal of the City of Harrisonburg, Virginia this 25th day of March, 2003.

Clerk, City Council of the
City of Harrisonburg, Virginia

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Mr. Wong said adopting this resolution would support the renovations to the Lucy F. Simms Continuing Education Center (Simms Project). Funding for the Simms Project will be provided from several sources including Boys/Girls Club, Arc Op Shop, Community Development Block Grant, Historical Tax Credits and City Contribution. Renovations for the facility include expanding office space for the Boys/Girls Club and Arc Op Shop, program space for the Boys/Girls Club and Arc Op Shop, adult education classrooms, job training classrooms, computer lab space for the Boys/Girls Club, and Arc Op Shop, family activities, police substation, and community meeting rooms. Mr. Wong also said that the resolution establishes and maintains the facility as a historical site, transfers ownership of the Simms Project to a taxable entity with an option to repurchase by the City. The Harrisonburg Redevelopment and Housing Authority held a public hearing on March 17, 2003 and approved the resolution.

At 7:35 p.m., Mayor Fitzgerald 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 Wednesday, March 12, and Wednesday, March 19, 2003.

**NOTICE OF PUBLIC HEARING ON
PROPOSED RESOLUTION BY THE
CITY OF HARRISONBURG, VIRGINIA
IN SUPPORT OF RENOVATIONS TO
THE LUCY F. SIMMS CONTINUING
EDUCATION CENTER AND
PROPOSED CITY COMMITMENT OF
\$2,000,000 TO THE SIMMS PROJECT**

On Tuesday, March 25, 2003 at 7:30 p.m., the Harrisonburg City Council will hold a public hearing to receive comments on a resolution in support of renovations to the Lucy F. Simms Continuing Education Center (the Project) and a proposed commitment by the City of \$2,000,000 to the Project. The resolution will set forth the anticipated sources of funding and other needed support from the City. Such City support shall include a commitment to transfer the Project to a taxable entity with an option for the City to repurchase the Project in order to qualify the Project for Historical Tax Credits, and an agreement to continue to provide maintenance services to the Project. The Resolution will also authorize the City of Harrisonburg to submit a Virginia Community Development Block Grant Proposal in order to apply for a grant that will assist in financing the Project. The public hearing will be held in the Harrisonburg City Municipal Building, 345 South Main Street, Harrisonburg, Virginia 22801. For further information, please contact Roger D. Baker, City Manager (540) 432-7701.

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

Donna Warble, said that she has worked in the Simms building for 34 years.

Mark Seymour, Executive Director of the Arc and Op Shop, said the shops are committed to the community. Funding is received through United Way and Medicaid Mental Retardation Waiver reimbursement. Since 1962, the Arc and Op Shop has provided a choice for individuals who sometimes have the fewest choices in life, mental retardation and other developmental disabilities. Through the Arc and Op Shop, individuals are offered choices in skill development, socialization, and community interaction. They are given choices in goal planning for today and the future. There being no others desiring to be heard, the public hearing was declared closed at 7:40 p.m., and the regular session reconvened. Vice-Mayor Rogers offered a motion to approve this resolution. The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Rogers

Council Member Peterson

Council Member Frank

Mayor Fitzgerald

Absent Council Member Lantz

Senior Planner Anderson introduced a request to transfer land for construction of a new fire station at 299 Lucy Drive. Currently the fire station is located at 2465 East Market Street. Both lots are zoned B-2 General Business District and comply with the Comprehensive Plan and Zoning Ordinance. He said that Planning Commission recommended approval of the land transfer by a vote of six to zero with one member absent.

At 7:44 p.m., Mayor Fitzgerald 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 Monday, March 17, 2003.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a public hearing on Tuesday, March 25, 2003, at 7:30 p.m. in the Municipal Building, City Council Chambers, 345 South Main Street, to consider the following:

EXCHANGE OF PROPERTY LOCATED AT 2465 EAST MARKET STREET

FOR PROPERTY LOCATED AT 299 LUCY DRIVE

Public Hearing to consider the exchange of city-owned property located at 2465 East Market Street and identified as Tax Map # 71 I 2A for property located at 299 Lucy Drive and identified as Tax Map # 80 C 6.

All persons interested will have an opportunity to express their views at this public hearing. 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

Roger D. Baker

City Manager

Mayor Fitzgerald called on anyone desiring to speak for or against transferring the land.

Franklin Blatt representing the applicants presented an overview of the project. He reviewed the proposed plan by Joe Bowman Auto Plaza which includes building a new fire station on Lucy Drive and trading it for the current fire station number three on East Market Street. The old fire station will be demolished to clear way for a new Saturn dealership at Joe Bowman Auto Plaza. It is a win-win situation for everyone. The City will have a brand new fire station up to code and Joe Bowman Auto Plaza will have a new Saturn dealership. He noted that hopefully the new building would be in operation by June 1, 2003. Mr. Blatt requested that City Council adopt the following resolution.

RESOLUTION

WHEREAS, Hi-Sky Enterprises, LLC, a Virginia limited liability company, wishes to acquire

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the City of Harrisonburg fire station on East Market Street by exchanging a new fire station being constructed on Lucy Drive in the City of Harrisonburg, Virginia; and

WHEREAS, the City Manager of the City of Harrisonburg has entered into a proposed Exchange Agreement, dated March 21, 2003 to facilitate the exchange of real estate with all improvements thereon; and

WHEREAS, pursuant to Section 15.2-1800 of the Code of Virginia, 1950, as amended, the City Council of the City of Harrisonburg is required to hold a public hearing on the exchange of real property; and

WHEREAS, on March 25, 2003, the City Council, after duly advertising the same, held the public hearing concerning the exchange of said real estate with all improvements thereon; and

WHEREAS, the City Council, after said public hearing, has determined that it is in the best interest of the City and its citizens to proceed with the exchange agreement as proposed;

NOW, THEREFORE, BE IT RESOLVED that the City Manager is directed to proceed with the Exchange Agreement as proposed and upon determining that the new fire station is constructed as per the Exchange Agreement, the City Manager shall execute a Deed of Exchange and accept the real estate with the newly constructed fire station pursuant to Section 15.2-1803 of the Code of Virginia, 1950, as amended.

ADOPTED AND APPROVED this 25th day of March, 2003.

MAYOR

ATTEST:

CLERK OF THE COUNCIL

There being no others desiring to be heard, the public hearing was declared closed at 8:00 p.m., and the regular session reconvened. Council Member Peterson offered a motion to accept the resolution as proposed. The recorded roll call vote was taken as follows:

RESOLUTION

Vote: Yes - Vice-Mayor Rogers

Council Member Peterson

Council Member Frank

Mayor Fitzgerald

Absent Council Member Lantz

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

Resolution Designating April as Clean-up/Fix-up Month

WHEREAS, the mission statement of the City of Harrisonburg expresses the intent to preserve and enhance the quality of life that is unique to the community; through promoting a partnership among citizens, elected officials and City employees; and

WHEREAS, it is also the City's desire to project an image of community pride, friendliness and livability; and

WHEREAS, the City Council seeks to encourage all citizens, businesses, schools, universities, civic groups, City employees and others to participate in a mutual effort to further enhance and beautify the City through fixing up and cleaning up public and private properties; and

WHEREAS, April 26, 2003, will be the annual Blacks Run Clean-up Day in Harrisonburg; and

WHEREAS, April 26, 2003, will also see the dedication of Liberty Park, a portion of the developing Blacks Run Greenway;

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NOW, THEREFORE, BE IT RESOLVED, that the City Council of Harrisonburg, Virginia does hereby designate the month of April as Spruce Up Month in the City of Harrisonburg.

Date

Joseph Gus Fitzgerald, Mayor

Attest:

Yvonne Ryan, CMC, City Clerk

Patty May, past president of the Board of Directors of the Chamber of Commerce, requested that City Council designate the month of April as Clean-up/Fix-up Month to encourage all citizens, businesses, schools, universities, civic group, and City employees to participate in a mutual effort to further enhance and beautify the City through fixing up and cleaning up public and private properties. She also requested that Council endorse April 26th as the official Blacks Run Community-Wide Clean-up Day in Harrisonburg. Mayor Fitzgerald also noted that Liberty Park will be dedicated on April 26th. Liberty Park is a project of the Blacks Run Greenway. Vice-Mayor Rogers offered a motion to approve this resolution. The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Rogers

Council Member Peterson

Council Member Frank

Mayor Fitzgerald

Absent Council Member Lantz

Senior Planner Anderson introduced a request by the JMU/Harrisonburg Downtown Committee to allow City buses to provide free transportation for an event on April 11, 2003. The committee was formed to introduce citizens to the City's Arts and Cultural District. The committee is sponsoring the upcoming Harrisonburg Museum & Galley Walk on April 11, 2003 from 5:00 p.m. to 8:00 p.m. Many downtown businesses, several museums, and art galleries will be open. He said it is a free program and the public is

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welcome to attend. Due to the extent of the Arts and Cultural District, the Committee is asking City Council to consider allowing City buses to provide free transportation to visitors who wear a Galley walk sticker. In addition, the Committee is requesting that the Municipal Building remain open until 8:00 p.m., to facilitate the review of the Youth Art exhibit in City Council Chambers and the entrance hall. Council Member Peterson offered a motion to approve this request as presented. The motion was approved with unanimous vote of Council Members present.

Senior Planner Anderson presented for Council's consideration creating an urban park directly across from the Massanutten Regional Library. He explained that the Planning Commission had restructured the Landscape Committee about a year and half ago to follow the Lynchburg Leaf Program. One of the goals of the committee was to develop a strategy for creating urban parks. The property is located at 181 South Main Street and has been donated by the Denton family. Several key locations surround the park including Massanutten Regional Library, Hardesty-Higgins House, Thomas Harrison House, and the Blacks Run Greenway. This park will act as a hub for activity throughout the downtown area and will provide a peaceful and beautiful spot amongst the urban landscape of Harrisonburg. An important feature of the park will be a large waterfall. The proposed area is approximately 15 feet wide and 72 feet in length. The projected budget is between \$50,000 and \$60,000. The committee hopes to raise funds, ask the City to accept the land donated by the Denton family, and then work as a depository for donated funds from contributors. The park collates well with current proposed plans for the downtown area. It can stimulate interest in the downtown area and promote more pedestrian traffic downtown. It is close to major historical sites, provides a place for people to sit and relax while shopping, or perhaps just read a book during lunch hour. It's close to Blacks Run Greenway, which will become a major component in the downtown area in the future. He reviewed the landscape plan for the site and noted that the site will be handicap accessible. Security issues and concerns have been addressed. Council Member Peterson offered a motion that the City accept the donated land and serve as the depository for the money allowing the project to move forward. The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Rogers

Council Member Peterson

Council Member Frank

Mayor Fitzgerald

Absent Council Member Lantz

Dr. Donald Ford, Superintendent of Harrisonburg City Schools, presented the School Board's proposed 2003-2004 budget. The proposed school budget provides a breakdown of anticipated revenue and expenditures for the coming year. He said that expenditures have increased from \$35,920,578 to \$39,220,032 or a 9.19% increase over the current budget. However, Dr. Ford said when a current pending supplemental appropriation for \$626,351 is added to 2002-2003 appropriation, the increase would be 7.3%. He said, Our total budget for next year is dramatically inflated by a Federal technology grant for which we have agreed to

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be the fiscal agent for a twenty-school division consortium. He reviewed the significant budget increase which include maintenance and operations at \$77,172, textbooks \$53,080, bus transportation \$77,750, utilities \$62,373, and health insurance \$437,158. He also mentioned that debt service for the school division was moved for accounting purposed to the City's budget beginning in 2002-2003 fiscal year. The debt service for 2003-2004 is \$4,474,921.78. This is a reduction in school debt service of \$1,041,471. The revenue estimates for the school division to support the expenditures are divided into state, federal, other, local, and unappropriated fund. He reviewed the increase in local funds during the past three years and emphasized that the school division continues to have substantial needs. The City has attained full accreditation of all the schools, despite the fact that in excess of 30% of the students speak English as a second language, between 16%-18% of students receive special education services and 43% of students are eligible for Title I services. Meeting the needs of a very diverse student population has become a difficult challenge for the School Board; however, Harrisonburg has done a remarkable job in providing education for the children in the City. He requested that City Council give serious consideration to the budget requests that have been made through the School Board budget. He said, I want to reiterate that although these are difficult financial times, it is important for the level of commitment that the School Board has experienced in the past from City Council to the schools to continue.

Council Member Peterson said, Dr. Ford, is it normal for the School Board to expect to receive a supplemental appropriation from the federal government in the future?

School Superintendent Ford responded that the technology grant the School Board received is divided into approximately two \$900,000 awards, one for this year and one for next year. He said, We don't believe within the consortium we can spend more than \$600,000. The School Board intends to request that a supplemental appropriation for this year carry over \$300,00 to next year resulting in the \$1.2 million which will be in the technology grant for next year. Dr. Ford could not provide information regarding exactly how much money Harrisonburg will receive out of the twenty-school division consortium.

Council Member Peterson questioned whether a released news report from the state regarding a salary increase of 2.25% for teachers was included in the projected average 4% increase for teachers?

School Superintendent Ford responded no because at the time the School Board adopted the budget, the money for the teacher's salary increases were stated in such a way, that if it was included and state economic forecast didn't materialize, then the School Board would be projecting too much money. The Governor's announcement solidifies that the money should be included in the budget. It is estimated that an additional \$50,000-\$60,000 might be generated from state revenues for the City.

Council Member Peterson commented that when various increases and decreases were compared in debt service, certainly in the last budget cycle, City Council accepted the increase in debt service of \$2.2 million for the schools. However, it was known that the increase was only for one year at \$2 million and then the next year it would decrease by \$1.2 million.

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Council Member Frank commented that debt service funding was included in the decision to build a \$41.5 million new high school.

City Manager Baker questioned the discrepancy in the ADM numbers.

School Superintendent Ford answered that he wasn't sure any one of the three numbers was correct. He said that the School Board has never accepted the state figures for basing the budget estimates because they vary so greatly. The state estimates are typically higher than the number of students in the City schools. The confusion occurring this year is because the School Board based the budget on 4,025 students. He indicated that it is a conservative number.

Mayor Fitzgerald again questioned the projected 4% salary increase for teachers and how much anticipated funding would be received from the state.

School Superintendent Ford said that the budget includes a projected average 4% increase for teachers. He also said that usually the School Board does not separate out the raise increase from the state, locality or federal government. The amount of money that goes to the salaries is actually a composite of looking at all the funds that are available. The 4% will be applied to salary categories with some adjustments made at individual steps. This will result in some individual increases being either higher or lower than 4%. However, when the state provides funding it must be used for SOQ (Standard of Quality positions). The number of positions in Harrisonburg are far beyond the standard of quality positions.

City Manager Baker presented a request from Rockingham County to place a pump station on Smithland Road. This request had been tabled from the March 11th Council meeting. The city engineer has met onsite with County representatives to review the placement of the proposed pump station. It was determined that the site could be moved slightly uphill from the location indicated on the sketch. In addition, the County consultants will need to confirm that the new location will not impact a sinkhole in the vicinity or conflict with drainage areas needed as part of the future Smithland Road expansion. He said that staff recommended approval of the request. He also noted that once the pump station is constructed it would belong to the City. Vice-Mayor Rogers offered a motion to approve this request. The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Rogers

Council Member Peterson

Council Member Frank

Mayor Fitzgerald

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Absent Council Member Lantz

City Manager Baker explained that the John D. Eiland Company has again requested sponsoring Fundfest Concert Series. The concert series will be held on alternating Wednesday evenings and will again provide fund raising opportunities for a number of local charities. Mr. Baker also said that over the years the annual Fundfest events have contributed over \$45,000 to local grass root charities. Vice-Mayor Rogers offered a motion to approve the Fundfest Concert Series. The motion was approved with a unanimous vote of Council Members present.

City Manager Baker presented a request to transfer funds for the Public Works Department. He explained that the City has exceeded its snow and ice removal budget. Council Member Peterson offered a motion to approve this transfer request, and that:

\$150,000 chge. to: 1000-940111-49310 Reserve for Contingencies

\$ 40,000 approp. to: 1000-410541-41020 Salaries & Wages Overtime

3,000 approp. to: 1000-410541-42010 FICA

10,000 approp. to: 1000-410541-44304 C.S. Powered Equipment Supplies

3,000 approp. to: 1000-410541-44200 Central Garage

4,000 approp. to: 1000-410541-46140 Other Operating Supplies

1,000 approp. to: 1000-410541-46070 Repair & Maintenance Supplies

The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Rogers

Council Member Peterson

Council Member Frank

Mayor Fitzgerald

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Absent Council Member Lantz

City Manager Baker presented a request for a supplemental appropriation for the General Capital Projects Fund. He explained that these funds are part of the proceeds from the sale of a house and land at 1781 West Market Street. The funds will be used to purchase a house and land that is needed by the City for the Erickson Avenue project. Council Member Peterson offered a motion to approve this request for a first reading, and that:

\$100,000 chge. to: 1000-34012 Sale of Land

\$100,000 approp. to: 1000-990111-49216 Transfer to Capital Projects Fund

The recorded roll call vote was taken as follows:

Vote: Yes - Vice-Mayor Rogers

Council Member Peterson

Council Member Frank

Mayor Fitzgerald

Absent Council Member Lantz

Vice-Mayor Rogers said that he will be attending the Commonwealth Transportation Board meeting on March 26th to express his concern regarding the safety of I-81.

City Manager Baker announced that School Superintendent Ford, Assistant City Manager Hodgen, City Building Official Baldwin and Bob Wease, General Manager/owner of the Harrisonburg Turk, toured Veterans Memorial Stadium. At the March 11th Mr. Wease had presented an overview of repairs needed at the stadium. The School Board will address these concerns at its April 1st meeting.

City Manager Baker announced that a School Liaison Committee meeting will be held April 1, 2003.

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City Manager Baker said that at the February 11th City Council meeting Randy Fauls, a City resident, had complained about the visibility and safety of cars entering his auto repair shop. He said Mr. Fauls had requested that a guardrail be placed in front of his business on Pear Street. Mr. Baker stated there are guidelines in the Uniform Manual of Traffic Control Devices that the City has to follow. The manual states that a guardrail (or guide rail as it is called) cannot be installed in this area because it is not large enough. The guide rail is not intended to prevent a vehicle from going over a bank. It is intended to guide a vehicle back into the road. Mr. Baker said that staff doesn't recommend placing a guide rail in the area.

Council Member Peterson offered motion that Kathy Whitten, 560 South Mason Street, be appointed to a first term on the Blue Ridge Community College Board of Trustees to expire on June 30, 2007. The motion was approved with a unanimous vote of Council Members present.

At 9:03 p.m., there being no further business and on motion adopted the meeting was adjourned.

CITY CLERK

MAYOR