

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

REGULAR MEETING

APRIL 22, 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 Members Carolyn W. Frank, Dorn W. Peterson, Hugh J. Lantz; City Clerk Yvonne Bonnie Ryan, CMC/MMCA, and Chief of Police Donald Harper.

Council Member Lantz 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 School Board. The recorded roll call vote was taken as follows:

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

Absent None

At 7:32 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 26, and Saturday, April 19, 2003.

NOTICE OF PUBLIC HEARING

The City of Harrisonburg is currently preparing its annual grant application for Operating and Capital Funds for FY 03-04. This application will be held on Tuesday, April 22, 2003 at the City Council meeting. This meeting will be held in Council Chambers in the Municipal Building at 7:30 p.m. All interested citizens are encouraged to attend.

Comments and suggestions for the Transit System are encouraged and welcomed. Please contact Reggie Smith or Vickie Conley before April 21, 2003, at 540-432-0492; or mail comments to Harrisonburg Public Transit, 475 East Washington Street, Harrisonburg, VA 22802.

Transportation Director Smith explained that this is the annual grant application for public transportation funds for fiscal year 2003-2004. The application funds include state formula assistance, state capital assistance, and commits the City for matching funds for the grant application. He said a federal funding resolution would be submitted at a later meeting.

Mayor Fitzgerald called on anyone desiring to speak for or against the grant application for transportation funds.

Betty Newell, president of the Board of Directors for Community Association for Rural Transportation (CART) said that she was speaking in support of the grant application for Harrisonburg Transportation Department. She said that the City's transportation system is well managed, the office staff and dispatchers are very helpful, and the drivers are service oriented and provide excellent customer service. There being no others desiring to be heard, the public hearing was declared closed at 7:33 p.m., and the regular session reconvened. Vice-Mayor Rogers offered a motion to adopt the resolution supporting the grant application. The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Frank

Council Member Lantz

Vice-Mayor Rogers

Council Member Peterson

Mayor Fitzgerald

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

Absent None

City Manager Baker presented the proposed 2003-2004 budget. He said that the budget was presented to Council at the April 8th meeting and a work session was held on April 15th. The City's Charter requires that the budget be adopted by June 1, 2003. He reiterated that the City continues to be in a growth situation as evidenced by the latest population figures of 42,200. The proposed budget represents a 40.4% decrease in net expenditures from the fiscal year 2003 budget as amended while moving forward toward many of the City's priorities. The decrease from the current year budget is mainly due to a decrease in capital projects expenditures. The guiding force behind this budget has been staff's continued commitment to the cost efficient delivery of services and attainment of Council's goals. A continued major commitment remains to the funding for education, public safety, roads, public utilities and the maintenance of existing infrastructure. The General Fund budget includes a recommended one (1) percent increase in meals tax, implementation of a cigarette tax of fifty (.50) cents per pack and the use of \$954,605 in budgetary revenue from the fund balance. He also said that in the future the City may have to consider developing some new revenue generating options and suggested considering reassessment of real estate annually instead of biennially. The City continues to have the second lowest nominal real estate tax rate among all independent cities. Two new programs that have not received funding in previous years are being proposed. A contribution of \$80,000 to the Downtown Renaissance Committee is proposed and \$6,000 for the Harrisonburg Little League Association is included. He reviewed other operating appropriation increases including the Massanutten Regional Library and Juvenile Detention Center. Mr. Baker said that schools represent the largest single expenditure in the City budget. The Water Fund and Sewer Fund budget have decreased. The Sanitation Fund budget has increased and the current monthly residential collection fee of \$10.00 is proposed to increase to \$12.00 per month to assist with the cost of collecting, processing and disposal of solid waste. At the April 15th City Council work session, it was recommended reducing the budget's proposed cigarette tax from fifty (.50) cents to thirty (.30) cents, increasing the transient occupancy tax by 1%, increasing appropriation to the Free Clinic by \$3,500, increasing appropriation to the Convention and Visitors Bureau by \$30,000 and reducing the proposed school board appropriation by \$500,000.

At 7:53 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, April 14, 2003.

CITY OF HARRISONBURG, VIRGINIA

PROPOSED BUDGET FOR

FISCAL YEAR ENDED JUNE 30, 2004

For information and fiscal planning purposes only

A public hearing will be held by the Harrisonburg City Council on Tuesday, April 22, 2003 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.

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

| <u>Revenues By Funds</u> | <u>2002-03</u> | | 2003-04 | |
|--------------------------|--------------------|-------------------|--------------------|--------------------|
| | <u>Original</u> | <u>Amendments</u> | <u>Amended</u> | As <u>Proposed</u> |
| Operating: | | | | |
| General | 56,980,181 | 2,097,557 | 59,077,738 | 58,762,611 |
| School | 35,412,183 | 508,395 | 35,920,578 | 39,532,063 |
| Water | 5,819,144 | 365,320 | 6,184,464 | 5,030,962 |
| Sewer | 6,160,563 | 18,757 | 6,179,320 | 6,125,697 |
| Public Transportation | 4,199,508 | 194,640 | 4,394,148 | 5,537,058 |
| Sanitation | 7,286,706 | 82,486 | 7,369,192 | 8,287,649 |
| Parking Authority | 266,034 | 159,000 | 425,034 | 401,568 |
| Golf Course | 958,849 | 1,803 | 960,652 | 1,314,473 |
| Central Garage | 636,291 | ----- | 636,291 | 660,480 |
| Central Stores Operating | <u>89,522</u> | <u>(30,751)</u> | <u>58,771</u> | <u>58,764</u> |
| Total Operating | <u>117,808,981</u> | <u>3,397,207</u> | <u>121,206,188</u> | <u>125,711,325</u> |

-

Capital Projects:

| | | | | |
|-----------------------------|-----------|------------|------------|-----------|
| General Capital Projects | 1,790,000 | 12,346,802 | 14,136,802 | 5,822,800 |
| School Capital Projects | -- | 39,722,193 | 39,722,193 | -- |
| Water Capital Projects | 1,599,527 | 14,860,040 | 16,459,567 | 500,000 |
| Sewer Capital Projects | 872,217 | 2,424,235 | 3,296,452 | 631,129 |
| Sanitation Capital Projects | 3,940,968 | 24,510,900 | 28,451,868 | 838,927 |
| Park Auth Capital Projects | 20,000 | 84,234 | 104,234 | 166,000 |

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

| | | | | |
|------------------------------|--------------------|-------------------|--------------------|--------------------|
| Golf Course Capital Projects | ----- | 778,773 | 778,773 | -- - |
| Total Capital Projects | <u>8,222,712</u> | <u>94,727,177</u> | <u>102,949,889</u> | <u>7,958,856</u> |
| Total | <u>126,031,693</u> | <u>98,124,384</u> | <u>224,156,077</u> | <u>133,670,181</u> |

Expenditures By Funds

Operating:

| | | | | |
|--------------------------|--------------------|------------------|--------------------|--------------------|
| General | 56,980,181 | 2,097,557 | 59,077,738 | 58,762,611 |
| School | 35,412,183 | 508,395 | 35,920,578 | 39,532,063 |
| Water | 5,819,144 | 365,320 | 6,184,464 | 5,030,962 |
| Sewer | 6,160,563 | 18,757 | 6,179,320 | 6,125,697 |
| Public Transportation | 4,199,508 | 194,640 | 4,394,148 | 5,537,058 |
| Sanitation | 7,286,706 | 82,486 | 7,369,192 | 8,287,649 |
| Parking Authority | 266,034 | 159,000 | 425,034 | 401,568 |
| Golf Course | 958,849 | 1,803 | 960,652 | 1,314,473 |
| Central Garage | 636,291 | ----- | 636,291 | 660,480 |
| Central Stores Operating | <u>89,522</u> | <u>(30,751)</u> | <u>58,771</u> | <u>58,764</u> |
| - | | | | |
| Total Operating | <u>117,808,981</u> | <u>3,397,207</u> | <u>121,206,188</u> | <u>125,711,325</u> |
| - | | | | |

Capital Projects:

| | | | | |
|--------------------------|-----------|------------|------------|-----------|
| General Capital Projects | 1,790,000 | 12,346,802 | 14,136,802 | 5,822,800 |
| School Capital Projects | -- | 39,722,193 | 39,722,193 | -- |
| Water Capital Projects | 1,599,527 | 14,860,040 | 16,459,567 | 500,000 |
| Sewer Capital Projects | 872,217 | 2,424,235 | 3,296,452 | 631,129 |

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

| | | | | |
|------------------------------|------------------------|-----------------------|------------------------|------------------------|
| Sanitation Capital Projects | 3,940,968 | 24,510,900 | 28,451,868 | 838,927 |
| Park Auth Capital Projects | 20,000 | 84,234 | 104,234 | 166,000 |
| Golf Course Capital Projects | ----- | 778,773 | 778,773 | -- |
| Total Capital Projects | 8,222,712 | 94,727,177 | 102,949,889 | 7,958,856 |
| Total | <u>126,031,693</u> | <u>98,124,384</u> | <u>224,156,077</u> | <u>133,670,181</u> |

Mayor Fitzgerald called on anyone present desiring to speak either for or against the proposed 2003-2004 budget.

Ralph Geddes, a resident of 395 Franklin Street, reminded Council of the historical tea tax. He suggested increasing the wine and beer sales tax. He also questioned how much taxpayers could absorb in the next five years.

Steve Pence, a nonresident of the City, but owning a business at 1967 Medical Avenue, said he was concerned about the cigarette tax. The impact the cigarette tax will have is more important than the increased revenue it will generate. Second hand tobacco smoke causes extensive illness and death to those surrounding the smokers. It is well known that cigarette smoke can cause many of the 5,000 chemicals in each cigarette to become airborne leading to irritation and inflammation of the lungs. He said that he has many patients who are not smokers, but have to suffer the exposure from someone who is addicted. If raising the cost of cigarettes by imposing a tax on them can actually get people to stop smoking, it will be worth the effort without the increased revenue.

Bucky Berry, a resident of 877 North Main Street, said that children are the future of the community.

Mick Swayne, a resident of 1560 Gilmer Circle, questioned cutting \$500,000 from the school budget. He reviewed the possible impact it could have and asked Council to reconsider.

Liz Thompson, an employee of the Office on Children and Youth, said the tax on cigarettes would affect youth's tobacco use in the community. She said that 80% of smokers start before they are 18 years old. Increasing tobacco prices will reduce tobacco use.

Dr. William Lee, a resident of 1157 Nelson Drive, encouraged City Council to increase the tax to 60-cent on each pack of cigarettes. He insisted more people will stop smoking if the tax is higher. He emphasized that studies have shown that every time taxes are raised on cigarettes two things happen: revenue to the locality increases and tobacco consumption decreases.

Ron Shelton a social worker at Rockingham Memorial Hospital said he has watched hundreds of individuals and families suffer because of tobacco use. It is important to educate the youth before they start experimenting with smoking.

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

David Ehrenpreis, a resident of 282 Franklin Street, congratulated City Council for funding the Downtown Renaissance. He also questioned cutting \$500,000 from the school budget.

Lynn Rexrode, a resident of 583 Hawkins Street, questioned the survey conducted by doctors and the effect it will have on smokers. He said, I am a smoker and I would love to stop smoking, but I can't because I am addicted.

Polly Fravel, a resident of 749 Northfield Court, said as an educator she sees every step of the school budget process from the fall to the spring when it is submitted to City Council. Teachers, principals, administrators, Dr. Ford and the School Board worked diligently on being fiscally responsible in the use of their resources. Everyone analyzed and evaluated their needs resulting in a bare bones budget. City Council has worked very hard in the past to provide funds allocated with new monies generated by additional revenues.

Mike Arehart, owner of Kline Dairy Bar, said that he wasn't protesting taxes or criticizing the budget. He said he was not in favor of increasing the meals tax and suggested increasing taxes in some other manner.

Erie Plowman, a resident of 2201 Lake Terrace Drive, said that he was a native Harrisonburg resident and one of the owners of Calhoun Restaurant. He said that he opposed the additional 1% meals tax. Restaurants are always one of the heaviest taxed industries in the City. He said, It is the simplest of economics that when you spend more than you collect, there will be a shortfall. He said 90% of his business comes from local residents.

David Sonifrank, owner of Smokin Pig Restaurant, said smoking is a very bad habit and if it was possible to tax it out of his wallet then perhaps he could be persuaded to stop smoking. Nevertheless, it isn't fair to hit one particular market. He also opposed the proposed 1% increase in the meals tax.

Betty Newell, President of CART explained that CART provides transportation services for elderly, disabled and low-income residents of Harrisonburg and Rockingham County. CART does not duplicate services provided by Harrisonburg; however, at times transportation has been provided to the University of Virginia Medical Center. Sometimes service is provided late at night because City buses have stopped running.

RuthDae Scott, a resident of 511 Northglen Lane, said two of the proposed taxes are minority taxes. Minority taxes do not generate revenue; however, they can generate rebellion. She said that she was a smoker and supported the cigarette tax; however, she could not support the meals tax because it was not fair to everyone.

Dr. Donald Ford, Superintendent of Harrisonburg City Schools, indicated his support for the proposed budget, which keeps school expenditures for next year at the level adopted by the School Board. He said that the School Board recognizes it is a difficult year financially for the City and it is necessary to utilize the school's unappropriated funds. However, utilizing the school's reserve funds to help pay for next year's school budget is a major departure from past practice. He said the School Board's overall budget does increase 9.19% over the current budget, but it contains a technology grant of \$1.2 million. The technology grant is available to a consortium of twenty school divisions. The school reserve fund is \$1,232,047.84. It is expected that the City will receive additional funds from the state because it has more students than was anticipated. He said that his staff tries to manage the budget carefully and prudently. Teacher's salaries climbed to the top 25% in the state, which was a goal of the School Board and supported by City Council.

Greg Coffman, a resident of 66 Laurel Street and chairman of the School Board, explained that the School Board is very aware of the financial concerns that everyone is facing. The School Board does have over \$1.2 million in reserve funds because of cost containment measures and an increase in state revenues. He said that the School Board has been conservative in its spending. However, using the reserve funds for next year will result in eliminating any reserve funds for the following year. The growth in student population has created a

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

tremendous need within the school system.

Susan Fitch, a resident of Mockingbird Drive and a member of the School Board, said that Harrisonburg enjoys a remarkable public school system even with the tremendous amount of growth and the constraint of the classrooms. All six schools at every level are fully accredited by the state. Because of the hard work and dedication by teachers and administrators the City's public schools rank near the top in the state in the SOL results.

Dr. Cathy Shusher, a resident of 520 South Mason Street and a member of the School Board, said that Harrisonburg has longed been recognized for its excellence in public education. The City is changing and requires greater needs for resources and retaining teachers. The changing demographics require more time and planning and implementing than has been anticipated or required. The teachers must have that commitment and quality recognized and appreciated in the form of the recommended pay raises.

Tom Mendez, a resident of 141 Diamond Court and a member of the School Board, urged Council Members to carefully consider the choices and continue to fund education as it has in the past. It is clear that funding levels and available resources directly affect the quality of education offered by the City. The choices made will affect 4,028 students and their parents.

Sally Strickler, a resident of 1015 Smithland Road, said that she opposed the cut to the School Board's request for funding. The children are the future and an investment needs to be made in them. She expressed concern with the challenges teachers are facing every day.

Jean Swartz, a resident of 749 Woodland Drive, encouraged City Council to provide the full funding to the School Board.

There being no others desiring to be heard, the public hearing was declared closed at 9:06 p.m., and the regular session reconvened.

Council Member Peterson commented that City Council cannot make any statements regarding how the \$500,000 decrease in School Board funding are made. He said that during the past years, City Council has funded schools with quite large increases yearly so that the schools could get to their goal of having teachers paid higher than 75% of the school districts in the state. The level has been reached. He said, Continuing as in years past to give school employees bigger raises than people working for the City is unfair. The School Board will have to decide whether they want to make cuts in other areas or continue to give higher pay raises to teachers.

Mayor Joe Fitzgerald commented that \$2 million in new taxes are too much for the amount of new services that will be delivered. The proposed cigarette tax at 30 cent a pack will have a larger impact on the number of people smoking. He said, I am concerned that increasing the meals tax another penny breaks the 10% barrier. Increasing the cigarette tax and meals tax would be necessary if we had an emergency, but I don't think that we have an emergency. Cutting \$500,00 from the school budget is too much because they were willing to make up a lot of the new needs from the \$1.2 million in undesignated funds. It is money that the School Board has saved in past budgets. He also said that \$1.3 million in funding for the golf course next year is too much as we are only guessing that the average month in golf course revenues for the up coming year is going to double. He suggested that City Council discuss the school budget again.

Jean Swartz, a resident of 749 Woodland Drive, encouraged City Council to provide the full funding to the S

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

Council Member Lantz commented that the golf course hasn't used any taxpayer dollars. He thanked the 22 speakers who spoke on the budget. No one made any nasty remarks or personal comments. This has been a hard budget. He said he received many telephone calls saying don't increase the cigarettes tax, don't increase the meals tax, don't increase the hotel tax, reduce the revenue, or cut school funding. There are a lot of needs, but the City only has so much revenue. He said in the state of Virginia over half of the localities do not have a cigarette tax. Very few go beyond 30 cents. It is a very difficult decision. He said, I have always supported the schools in the past, but a 4% increase in salaries will put Harrisonburg even further up the scale. Most of the departments in the City for the past four years have not received an increase in funding. Harrisonburg residents rank in the bottom one-fourth of all cities in the state of Virginia.

Vice-Mayor Rogers said that if schools needed more money at the end of the year, he would support providing additional money. He encouraged the School Board to apply for additional state funding.

Council Member Peterson offered a motion to approve the 2003-2004 budget for a first reading as amended: decrease the amount of transfer from the General Fund to the school budget by \$500,000, add \$30,000 in contribution to the Convention & Visitors Bureau, add \$3,500 in contribution to the Harrisonburg Free Clinic, reduce the budget's proposed cigarette tax from 50 cents to 30 cents, and increase transient occupancy tax by 1%. The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Frank

Council Member Lantz

Vice-Mayor Rogers

Council Member Peterson

No - Mayor Fitzgerald

Absent None

Planning and Community Development Director Turner introduced a request by George R. Brunk, III to reconfigure 4.027 acres into three lots. The property is zoned R-2, Residential District and is located at 983 and 987 Summit Avenue. The preliminary plat request is to reconfigure the property into three lots with a variance to the Subdivision Ordinance. There are two houses existing on the southern portion of the area, and the subdivision would allow for the construction of a third house on the new front lot without obstructing the view from the current structures. The reconfiguration will create three nearly equally apportioned lots side by

Jean Swartz, a resident of 749 Woodland Drive, encouraged City Council to provide the full funding to the S

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

side along the ridgeline, each with large front yards and an unobstructed view to the east. All lots would be accessed from a driveway entering off Mt. Clinton Pike. A variance to the City's subdivision ordinance is permitted in cases that involve unusual severe topography or hardship situations. In the Capital Improvement Program there is a project to widen Mt. Clinton Pike at some point in the future to four lanes with perhaps a center turn lane with curb and gutter, sidewalk and bike lanes. She reviewed the agreement with the Brunk family, which includes dedicating some right-of-way, and deed restriction of any house being built on the proposed lot. She said that Planning Commission recommended approval of the request.

Council Member Peterson offered a motion to approve this request. The recorded roll call vote was taken as follows:

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

Absent None

City Manager Baker presented for Council's consideration a request from the Harrisonburg-Rockingham Historical Society to hold an antique car show at Silver Lake on May 9-10, 2003. He said that although other events will be held at the annual MayFair only the antique car show will be on City property. Vice-Mayor Rogers offered a motion to approve this request. The motion was approved with a unanimous vote of Council.

Financial Director Seal presented a request to transfer funds for the Information Technology (Data Processing) Department. He explained that these funds will be used for software maintenance and purchasing furniture and fixtures. Council Member Lantz offered a motion to approve this transfer request, and that:

\$16,625.00 chge. to: 1000-940111-49310 Reserve for Contingencies

\$11,000.00 approp. to: 1000-122011-43320 Service contracts

Jean Swartz, a resident of 749 Woodland Drive, encouraged City Council to provide the full funding to the S

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

5,625.00 approp. to: 1000-122011-48220 Furniture and fixtures

The recorded roll call vote was taken as follows:

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

Absent None

City Manager Baker presented a request to increase the City's budgeted revenues and expenditures. He explained that these funds were generated by a special Virginia license plate program. Council agreed at the February 25th meeting to divide one-half of the proceeds to Valley Cats and one half to Cats Cradle. Council Member Lantz offered a motion to approve this request for a second reading, and that:

\$745.58 chge. to: 1000-322207 Animal Friendly License Plates

\$372.79 approp. to: 1000-910411-45892 Valley Cats

372.79 approp. to: 1000-910411-45893 Cats Cradle

The recorded roll call vote was taken as follows:

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

Jean Swartz, a resident of 749 Woodland Drive, encouraged City Council to provide the full funding to the S

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

Council Member Peterson

Mayor Fitzgerald

Absent None

School Superintendent Ford presented a request for a supplemental appropriation for the School Board. These funds represent unanticipated receipts from the Federal government that were not known during the budget process. No additional City dollars are required from City Council for the division to receive these additional funds. Vice-Mayor Rogers offered a motion to approve this request for a first reading, and that:

\$13,919.00 chge. to: 1111-33301 School Revenue Federal

\$13,919.00 approp. to: 1111-111114-40610 Instruction

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Frank

Council Member Lantz

Vice-Mayor Rogers

Council Member Peterson

Mayor Fitzgerald

Absent None

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. He explained that these funds were received from a Weed and Seed Grant and will be used for overtime money. Council Member Lantz offered a motion to approve this request for a first reading, and that:

Jean Swartz, a resident of 749 Woodland Drive, encouraged City Council to provide the full funding to the S

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

\$5,400.19 chge. to: 1000-33531 Weed and Seed

\$5,400.19 approp. to: 1000-310231-41020 Salaries/wages overtime

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Frank

Council Member Lantz

Vice-Mayor Rogers

Council Member Peterson

Mayor Fitzgerald

Absent - None

Parks and Recreation Department Director Foerster presented a request for a supplemental appropriation for the Parks and Recreation Department. He explained that these funds are reimbursement for purchases made possible by a private donation. Council Member Lantz offered a motion to approve this request for a first reading, and that:

\$15,697.00 chge. to: 1000-31914 Recovered Cost

15,000.00 chge. to: 1000-31809 General Donations

800.00 chge. to: 1000-31809 Donations

1,220.00 chge. to: 1000-31901 Recoveries & Rebates

7,519.72 chge. to: 2016-31818 Donations First Tee

5,000.00 chge. to: 2016-34210 Transfer from General Fund

\$15,697.00 approp. to: 1000-710571-43330 National Guard Armory-Maint. & Repair

Jean Swartz, a resident of 749 Woodland Drive, encouraged City Council to provide the full funding to the S

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

5,610.00 approp. to: 1000-710171-46130 Recreational Supplies

4,390.00 approp. to: 1000-710171-43360 Main. & Repair, Bldgs. & Grounds

5,000.00 approp. to: 1000-990111-49185 Transfer to Golf Course Fund

800.00 approp. to: 1000-710171-46130 Recreational Supplies

1,220.00 approp. to: 1000-710871-43360 Athletics

12,519.72 approp. to: 2016-720371-46144 First Tee

The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Frank

Council Member Lantz

Vice-Mayor Rogers

Council Member Peterson

Mayor Fitzgerald

Absent None

Bucky Berry, a resident of 877 North Main Street, requested permission to mow and maintain the lawn at the new Rescue Squad Building. Mayor Fitzgerald asked Mr. Berry to contact City staff.

Ted Cole representing Davenport & Company presented for Council's consideration a refinancing opportunity for the City of Harrisonburg's General Obligation Public Improvement Bonds, Series 1996. He explained that Davenport, on behalf of the City, drafted, distributed, negotiated, and received bids from financial institutions interested in providing the City with the necessary funding required to refinance the City's existing General Obligation Public Improvement Bonds, Series 1996. Mr. Cole reviewed the six firm proposals received and said that Shenandoah National Bank in Staunton offered the lowest proposal. If City Council approves refinancing these bonds and accepting the proposal from Shenandoah National Bank documents could be submitted for final approval in early May. He reviewed the fees, expenses and terms of the resolution. Council Member Lantz requested that the words "shall not exceed \$35,000" be changed to "will not exceed \$35,000". It was pointed out that costs were not included in the resolution. Council Member Peterson offered a motion to approve the resolution as submitted. The recorded roll call vote was taken as follows:

Jean Swartz, a resident of 749 Woodland Drive, encouraged City Council to provide the full funding to the S

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

Vote: Yes - Council Member Frank

Council Member Lantz

Vice-Mayor Rogers

Council Member Peterson

Mayor Fitzgerald

Absent None

Police Chief Harper presented an agreement with James Madison University Police Department in a cooperative patrol area. He explained that the area consists of largely concentrated university students living off campus. By agreement, officers of the James Madison University Police Department will be appointed as special police officers of the Harrisonburg Police Department within this designated corporate patrol area. This agreement will give James Madison University Police Officers the same authority as the Harrisonburg Police Officers and will be jointly patrolled by both departments. Council Member Peterson offered a motion to approve this agreement. The motion was approved with a unanimous vote of Council.

At 10:05 p.m., Council Member Peterson offered a motion that Council enter a closed session for the purpose of the discussion of personnel matters. 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). The motion was approved with a unanimous vote of Council.

At 10:20 p.m., the closed session ended and the regular session reconvened. The following statement 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 and 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.

Council Member Peterson offered a motion to increase the City Attorney budget by \$1,280.00 for FY 2003-2004. The recorded roll call vote was taken as follows:

Vote: Yes - Council Member Frank

Jean Swartz, a resident of 749 Woodland Drive, encouraged City Council to provide the full funding to the S

MINUTES - REGULAR MEETING OF CITY COUNCIL - APRIL 22, 2003

Council Member Lantz

Vice-Mayor Rogers

Council Member Peterson

Mayor Fitzgerald

Absent None

At 10:21 p.m., there being no further business and on motion adopted the meeting was adjourned.

CITY CLERK

MAYOR