

REGULAR MEETING

FEBRUARY 24, 2004

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

Council Member Frank gave the invocation and Mayor Fitzgerald led everyone in the Pledge of Allegiance.

Mayor Fitzgerald requested the unanimous consent of Council Members present to change the agenda by adding a Community Development Block Grant Program update. This agenda item will be number 17A.

David Briggman a resident of Rockingham County thanked City Council for adding this agenda item to the Council meeting. He questioned why Purcell Park had a sign stating "Do Not Play in the Park when it is below 32 degrees". Council requested that City Manager Baker check into the reason for the sign being in the park.

Bill Whalen a resident of Harrisonburg insisted that taxpayers' money was being spent on property acquisitions, property donations, historical destination of the downtown area, setting up the Downtown Renaissance Group, contributing \$20,000 for streetscape, and removing height limits downtown. He said most government programs have waste and better management is needed to save something for a rainy day. Taxpayer's money should be spent for the common good.

Bucky Berry a resident of Harrisonburg commented that Harrisonburg has a great Police Chief.

Council Member Peterson offered a motion to approve the consent agenda, including approval of the minutes and the second reading approval of several Supplemental Appropriations for the Police Department and Public Works Department. The motion also included the second reading amending and re-enacting Section 10-3-97 of the Harrisonburg City Code. The recorded roll call vote was taken as follows:

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

Absent – Council Member Lantz

At 7:43 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 Saturday, February 14, and Saturday, February 21, 2004.

NOTICE OF PUBLIC HEARING

The City of Harrisonburg is currently preparing the annual grant application for Operating and Capital Funds for FY04-05. This application is for Federal and State funds under the Federal Transit Administration 49USC Section 5307.

A public hearing for this application will be held on Tuesday, February 24, 2004, 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 February 23, 2004 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 application for operating funds for the state formula assistance and capital assistance funds. This is the first time Harrisonburg has applied directly to the Federal Government for funding under the Federal Transit Administration Section 5307. Mr. Smith said the annual operating expenses are approximately \$1.9 million of which \$1.6 million is for transit service. Total operating revenues is \$762,154. The City receives approximately \$500,000 in Federal operating assistance and \$400,000 in formula funds from the state. He also said that some of the funds will be used to purchase two para-transit vehicles and a lift for low floor transit buses.

Betty Newel President of Community Association for Rural Transportation (CART) said that CART works very closely with the Harrisonburg Transit Department. She also said she supported the 5307 application for funds. There being no others desiring to be heard, the public hearing was declared at 7:45 p.m., and the regular session reconvened. Council Member Peterson offered a motion to approve the resolution. The recorded roll call vote was taken as follows:

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

Absent – Council Member Lantz

Phoebe Kilby, lead consultant representing the consulting firm of Sympoetica, presented for Council's consideration an update of the City of Harrisonburg's Comprehensive Plan. She recognized the Comprehensive Plan Advisory Committee Members consisting of Planning Commission Members, City Council Members, and City staff members who developed the draft Comprehensive Plan. She said that it took a collaborative effort of the committee members, staff and citizen representatives. The Comprehensive Plan presents a vision for what kind of

community the City would like to be in the future and identifies steps the City can take to work towards this vision. It is a long-term guide for the community. It is a twenty-year plan to deal with all the issues of the physical development of the City. The Comprehensive Plan vision statement for the City is: The City of Harrisonburg, where citizens are inspired to work together to create a great place to live, to raise a family, to learn, to work, and to prosper. Sixteen goals were designed to help the City achieve the vision. 1) To improve the quality and compatibility of land use and development. 2) To promote novel patterns of development like those developed early in the City's history; vital, well-planned, and well-integrated mixed housing and mixed-use urban areas of distinct character. 3) To strengthen existing neighborhoods and promote the development of new neighborhoods that are quiet, safe, beautiful, walkable, promote social interaction and offer a balance of housing choices. 4) To meet the current and future needs of residents for affordable housing. 5) To provide a wide and equitably distributed range of educational and cultural opportunities for all ages. 6) To celebrate the City's heritage and preserve and protect its historic resources as essential elements of the City's economic health, aesthetic character and sense of place. 7) To preserve and enhance the City's natural resources and encourage development that is compatible with nature. 8) To meet the recreation needs of every citizen by providing comprehensive leisure opportunities and developing and maintaining a safe, well-distributed parks and recreation system. 9) To develop a safe and convenient transportation system serving all modes of travel such as automobile, pedestrian, bicycle, and transit. 10) To support a vital City with community facilities, infrastructure, and services that are efficient, cost effective and conserving of resources. 11) To ensure the public safety and encourage the provision of excellent health services to all people. 12) To maintain and enhance the City's role as the economic and tourism hub of the region offering a wide variety of jobs in those sectors that enhances the City's ability to expand its economic base. 13) To enhance and revitalize existing residential and commercial areas. 14) To coordinate and collaborate with Rockingham County, Rockingham Memorial Hospital, James Madison University, Eastern Mennonite University, and others to meet these goals. 15) To engage citizens to work collaboratively in planning, developing, and promoting the City as a great place. 16) To keep this plan vital and useful by regularly reviewing its recommendations and the progress made towards meeting them. She said that the Plan Framework Map is an important policy map in the plan because it provides an overview of the main themes addressed in the Comprehensive Plan. It highlights areas where some degree of change is encouraged or anticipated, including City gateways, or entry points into the City. The City wants to improve its image and attractiveness by improving the appearance of the landscape and signage at these points. Corridor enhancement areas are also shown on the map. Those are areas along the major roadway corridors into the City. The plan recommends looking at ways to improve the condition and quality of those corridors. The greenway park system is also shown on the map. New low density and medium density mixed residential areas are shown on the map. The map identifies a downtown revitalization area, Edom Road as an area of interest for revitalization, and improving older neighborhoods of the City. The next important element of the plan is the Land Use Guide. The Land Use Guide designates every part of the City for some future land use. There are several categories of land use ranging from low density to high density residential. This guides future decisions regarding growth and development. Another important element is the Master Transportation Plan. The City had a master street plan, which focused on streets, but this plan combines all the transportation elements including roadways, greenways, and bikeways.

The Comprehensive Plan is very ambitious and includes setting objectives and strategies for each of the 16 goals. The Comprehensive Plan includes priorities to begin working on. One is to

develop a zoning approach to implement the new mixed residential neighborhoods. Second, to address incompatible land uses through the zoning ordinance text and map. Third, to limit the conversion of single-family homes to duplexes and apartments. The City wants to develop standards to improve the design quality of all new resident development. Another priority is to increase the availability of affordable housing for a variety of income levels. The City also wants to develop design standards for streets. There is also an economic development strategy to recruit new businesses and job creations. The City hopes to promote downtown revitalization and prepare communities for neighborhood improvement projects. She said that Planning Commission held a public hearing and recommended approval of the plan with several amendments, which included suggestions about medium density residential and medium density mixed residential on the land use guide in both categories under certain circumstances. The Planning Commission also wanted to add an existing zoning map, a Parks and Recreation Plan map, a City Water and Facility Sewer Map, and a preference to acknowledge everyone who worked on the Comprehensive Plan.

At 7:58 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, February 9, and Monday, February 16, 2004.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a Public Hearing on Tuesday, February 24, 2004, at 7:30 p.m. in the City Council Chambers, 345 South Main Street, Harrisonburg, Virginia to consider the following:

COMPREHENSIVE PLAN – 2004 UPDATE

Public Hearing to consider the draft update to the City's Comprehensive Plan. The City of Harrisonburg Comprehensive Plan presents a vision of what kind of community the City would like to be in the future and identifies the steps required to move toward that vision. The plan provides information about the City's current conditions, long-term goals and objectives, and recommended implementation strategies. It addresses a wide range of issues, including land use, housing, transportation, infrastructure, the preservation of historic and natural resources, and economic development. Decisions on subdivision requests, rezonings, and special use permits are influenced by a proposed project's relationship to the Comprehensive Plan.

A draft copy of the Comprehensive Plan along with maps and other information is available for review in the Community Development Department, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. This information can also be viewed on the Community Development website at www.ci.harrisonburg.va.us. Click on the Comprehensive Plan link.

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

Any person 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 the Comprehensive Plan. There being no one desiring to be heard, the public hearing was declared closed at 7:59 p.m., and the regular session reconvened.

Council Member Peterson read the following preface: The City of Harrisonburg expresses appreciation to the members of the Comprehensive Plan Advisory Committee who have dedicated countless hours to the preparation of this Comprehensive Plan. The members of the committee are Art Albrecht, Shelley Baker, Richard Baugh, Les Bolt, Greg Coffman, Debra Stevens Fitzgerald, Joseph Fitzgerald, James Huffman, Dorn Peterson, J.M. Snell, Robert Steere, Carl Wassum, and David Wiens.

Vice-Mayor Rogers expressed his appreciation to all of the members of Comprehensive Plan Committee. Council Member Frank offered a motion to approve the 2004 Comprehensive Plan. The recorded roll call vote was taken as follows:

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

Absent – Council Member Lantz

The next item of business was a brief presentation by James Shield representing the Virginia Resources Authority. He said the Virginia Resources Authority was started in 1984 in Richmond by the state of Virginia to help local governments get lower interest rates on their bond issues. He reviewed the key features of the financing loan programs. VRA monitors all outstanding issues for refinancing opportunities. He said in 1995 Harrisonburg issued bonds for the Solid Waste Facility and now has the opportunity to save money by refinancing the bonds. Harrisonburg should save \$227,269 of total debt service savings over the remaining life of the loan by refunding the bonds at today rates. He reviewed a time table schedule for the City should it be decided to proceed with refunding the bonds. VRA will continue to monitor the savings and advise City Manager Baker of any changes.

The next item of business was a presentation by LENEEA, owners of a facility at 90 North Main Street. John Neff, representing LENEEA, said that the group consisting of David Lee, Rodney Eagle, John Neff, Mensel Dean and Clyde McDaniel has developed a Master Plan for the facility at 90 North Main Street, which is partially occupied. The majority of the space in the building is not occupied. The group hopes to create a pedestrian gateway, utilize public parking, and renovate a long narrow building into a two-story facility. The group is requesting a long-term lease on six spaces in the eastern end of the Ney parking lot and three spaces in the middle of the lot to accommodate a new entryway from the Ney parking lot to Elizabeth Street. Plans for the building have been discussed with the City's Economic Development Director Brian Shull and the Parking Authority. Mr. Neff reviewed a previous request, which had been discussed with representatives from the City, representatives from the Downtown Retail

Merchants Association, and the Parking Authority. He also said the group has scaled back its request in response to concerns over the loss of public parking. The revised request includes changing traffic patterns on East Elizabeth Street to one-way heading west. One proposal suggested that nine parallel parking spaces could be added on the south side of Elizabeth Street. This addition of nine spaces would counterbalance the nine spaces requested for lease by LENEEA. However, LENEEA would prefer to widen the sidewalk and not add this additional parking.

The following discussion by Council Members included: Private investment funding being used to renovate a downtown building; City should make renovations to parking deck; uncertain which improvements will be made by the group especially related to the walkway; lighting improvements will help with safety; City has made significant investments in the downtown area; requested a report from the Public Works Department on the long-term effects of making Elizabeth Street one way. Council agreed to hear public comments concerning this request at the next Council meeting and also asked the Public Works Department to provide a report regarding the proposed improvements.

The next item of business was a presentation by Harrisonburg Downtown Renaissance. Eddie Bumbaugh, Executive Director of Harrisonburg Renaissance, presented a brief summary of HDR's progress and accomplishments during the last three months. He said that HDR is thankful for the investment that the City of Harrisonburg has made in downtown revitalization. The group has 100 volunteers logging in more than 3,000 hours. Members of the community including property owners, business owners, organization representatives, and citizens at large, have supplemented the investment that the City of Harrisonburg has made with their own contributions. He said that since HDR began operations, several shops have been lost downtown; however, several new businesses are moving downtown. People's confidence and hope is at a much higher level as a result of a partnership that has been formed with the City, HDR, the private sector, and other organizations. Mr. Bumbaugh reviewed and summarized several projects the four committees of HDR have been working on. A plan to re-establish Court Days on June 12, 2004 has been delayed until 2005. The group is excited about working in partnership with Citizens for Downtown, which sponsors music concerts every other Friday on the Square during the summer. In order to compliment the summer music concerts, plans are underway to offer movies on the square on the alternate Fridays. He said plans and details still need to be finalized; however, he asked to close a portion of Court Square on the west side and south side contingent upon City officials and shop owners giving approval. He also briefly reviewed Jamestown 2007, which is hoping that every community in the state will plan something to celebrate the heritage of the area.

The 2004 Virginia Main Street program is the most successful and effective model for downtown revitalization with over 20 years of experience. Neighboring cities approved as designated communities include Staunton, Waynesboro, Lexington, Lynchburg, Winchester and 12 other communities in the state. On February 11, 2003, Council supported the City's application to be an affiliate member. This year the Department of Housing and Community Development is opening up to three or four new communities the option of becoming a designated community. Mr. Bumbaugh requested that Council pass a resolution authorizing participation in the Virginia Main Street Program, giving Harrisonburg an opportunity to immediately implement one component of the new Comprehensive Plan. There is some urgency because the application deadline is April 16, 2004. There is no cost involved other than time. It

will benefit the City by having a more intense working relationship with the Virginia Main Street staff, training on how to collect data on economic indicators, specialized workshops for downtown merchants, facade improvement drawings, and tourism advantages.

Steve Knickrehm, representing the Board of Harrisonburg Downtown Renaissance, presented a request to display banners downtown. He said that HDR would fund a set of banners around Court Square and move outward as funding was available. The banners would promote a “welcome to downtown” theme and would be switched to promote other events in the downtown area. It could provide a lot of visual interest and also let people know about upcoming special events. He requested Council’s permission to work with the City Attorney and Community Development Director to change the City Code by allowing a banner display on the light posts in the downtown area. Council agreed to allow HDR to work with the City Attorney to draft an amendment to the sign ordinance.

Council Member Peterson offered a motion to approve the following resolution:

A RESOLUTION AUTHORIZING PARTICIPATION IN THE VIRGINIA MAIN STREET PROGRAM AND DESIGNATING HARRISONBURG DOWNTOWN RENAISSANCE TO COORDINATE ALL PROGRAM APPLICATION ACTIVITIES.

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, up to four Virginia cities, towns, and counties will be selected to participate in the on-going program, and receive intensive technical assistance from DHCD for at least five years.

WHEREAS, the City of Harrisonburg desires to participate in the Virginia Main Street Program.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARRISONBURG.

SECTION 1. That the City of Harrisonburg applies for selection to participate in the 2004 Virginia Main Street Program with the specific goal of economically revitalizing the designated Main Street district within the context of historic preservation using the Main Street Approach™;

SECTION 2. That the City of Harrisonburg meets the population criteria and that the proposed Main Street district contains at least 50 commercial enterprises and 70 commercial structures;

SECTION 3. That the City of Harrisonburg has an organization, Harrisonburg Downtown Renaissance, that is dedicated to the revitalization and on-going management of the designated Main Street district;

SECTION 4. That the City of Harrisonburg guarantees that it will be a financial partner with Harrisonburg Downtown Renaissance for at least five years to ensure:

- A. a sustainable Main Street program operating budget will be funded;**
- B. a Main Street manager will be employed;**

C. an adequate level of clerical support will be provided to the Main Street executive director;

SECTION 5. 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 6. That the City Manager and appropriate administrative staff are authorized to assist in the submission of the application.

ADOPTED THIS 24th day of February, 2004

MAYOR, CITY OF HARRISONBURG

ATTEST

CLERK OF COUNCIL

The recorded roll call vote was taken as follows:

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

Absent – Council Member Lantz

Council Member Peterson offered a motion to appoint City Manager Roger Baker to serve as Harrisonburg representative on the Jamestown 2007 Committee. The motion was approved with a unanimous vote of Council Members present.

An agenda item to consider a request by Daniel Newberry and Graddison was removed from the agenda because it doesn't require any action by City Council.

Planning and Community Development Director Turner introduced a request by Jared Scripture to plat 32 lots zoned R-1, Single Family Residential District, with a variance to the subdivision requirement that all front on a public street. She said that the property is located at 620 Garbers Church Road. The Comprehensive Plan designates this area as Low-Density Residential. She reviewed the surrounding uses in the area. The applicant is requesting approval of a preliminary plat that would allow for the creation of a neighborhood of 32 single-family home lots on nearly ten acres of land adjacent to Garbers Church Road and the City owned golf course, Heritage Oaks. The concept is to provide large homes on modest sized lots, while still meeting the lot requirements for the R-1 zoning district. Access to all of the housing units is through a network of private streets that are included within the buildable lots of the development. This community will also be unique in that it is age restricted to individuals 55

years of age and older. Age restricted communities also see fewer trip generations per household than would be found in a typical neighborhood. Normal single-family neighborhoods generate on average ten vehicle trips per day from each home. The number of trips generated from retirement communities drops to an average of six trips per day. There is minimal potential for school age children to be living within this neighborhood, thus eliminating the need for school bus service. She said in lieu of sidewalks, the applicant plans to have a five-foot path adjacent to the roadway for pedestrians and golf cart traffic. The plans call for an unmanned kiosk as well as a place to locate the community's mailboxes. Along with the neighborhood's close proximity to the golf course; additional amenities include a community leisure court and gazebo area. The leisure court would be directly adjacent to the existing cemetery on the property and would consist of an area for lawn bowling, shuffleboard, and horseshoe pits. She said because of the benefits and the potential for a novel single-family home development in the City, Planning Commission unanimously recommended approval of the request. Vice-Mayor Rogers offered a motion to approve this request. The recorded roll call vote was taken as follows:

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

Absent – Council Member Lantz

Planning and Community Development Director Turner presented a brief review of Planning Commission 2003 Annual Report. Mrs. Turner said the report contained requests for rezonings, special use permits, preliminary plats, street/alley closings, a master plan, and ordinance/comprehensive plan amendments. The report is available for review on the City's web site.

Planning and Community Development Director Turner introduced a request by Robert Knicely to have City water provided to a small private school, which will be located off of Mt. Clinton Pike in Rockingham County. She said that a recently adopted water moratorium ordinance allows the City to provide water to properties located within Rockingham County with the proper approval. Public Utilities Director Collins evaluated the request and recommended supplying water to the applicant. She said that Planning Commission has 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 Peterson
Council Member Frank
Vice-Mayor Rogers
Mayor Fitzgerald

Absent – Council Member Lantz

Dr. Cathy Slusher a member of the Harrisonburg City Board presented a report on Limited English Proficient (LEP) and "No Child Left Behind Act" in the Harrisonburg Schools. The schools and their needs have changed dramatically during the last 10 years. The schools are

experiencing population growth, increased diversity, program changes, more resources requirement; facilities accommodating fewer students, and greater importance of maintaining small class sizes. All children are being prepared to be productive, participating citizens in the community. All Limited English Proficient students are prepared to successfully enter the English-speaking mainstream in school and after school. Dr. Slusher said that she serves on the Limited English Proficient Caucus of the Virginia School Board Association. She said that testing occurs after one year of attendance. Research has shown that it takes children five years to totally acquire a new language. Under the standards of accreditation schools allow a student after 11 semesters to be exempt from one testing session. However, under the “No Child Left Behind” every child is tested after they have been in school for one year. LEP students are required to participate in two types of assessments, English proficiency, and state reading and math assessment. Harrisonburg school system has developed a methodology to determine the K-12 cost on a per pupil basis to calculate the LEP costs making it as a ratio to general education. It also allows identifying LEP costs by funding source. It costs \$1,326 additionally to educate an LEP student in Harrisonburg. The cost of living differences includes teacher salaries, a variety of programs, maturity of programs, number of languages supported in the program, and central office support. She reviewed a state funding formula statistical chart showing how jurisdictions receive money from the state, federal, and local money. Harrisonburg’s LEP population has grown from five percent to 32 percent in 10 years. Only in recent years has the Commonwealth provided one teacher for each 100 students to support the increasing costs of providing a high quality education for students still learning English. She said that the General Assembly must acknowledge there is a greater need in Harrisonburg for categorical funding because the average pupil teacher ratios for LEP students is 46.5 percent. Harrisonburg does not have the same school system as it did years ago. There are more teachers required to meet the needs of Level 1 students. Resources become quickly exhausted at Level 1, leaving services deficient for Levels 2-4. Personnel are also needed to write curriculum, translate, interpret, and reach out to the parents. She reiterated that personnel are draining the school budget, which is expected to come from the locality. Larger divisions have personnel to write curriculum and provide resources, whereas small divisions such as Harrisonburg must use teachers to do this. There is also a need for translators to communicate with the parents and students, translate handbooks, testing and writing curriculum, and work with multiple languages because Harrisonburg has 38 languages in the school system. Staff development is the key. It requires \$40,000 to offer an ESL course to every teacher in Harrisonburg. The LEAP program staff has completed three additional workshops and 18 hours of curriculum development. Classroom erosion is important because the schools are losing space previously counted on for additional students in specially programs. The addition of the Intake Center has proven to be wonderful because it is a more efficient placement of students and collection of data. There is less disruption to schools and classrooms. There is a greater chance of gaining parental involvement in children’s education. Meeting the challenge involves the LEAP program at the elementary level, team teaching at the middle school level, and transitional English and Concept classes at the high school level. She reviewed the LEAP program and the importance that it is having in the schools. It’s time for Council and School Board to unite in the effort to return state dollars to our locality to meet our educational challenges so no child in Harrisonburg is left behind.

The next item of business was a brief presentation by the Public Works Department for consideration to approve Harrisonburg’s first annual report for Virginia Pollutant Discharge Elimination System (VPDES). Public Works IT Director Trent Small said the Department of Environmental Quality for localities defined, as “urbanized areas” by the Census Bureau requires

this permit. Harrisonburg was issued a permit on March 6, 2003. The VPDES permit and annual report are both formatted around the six minimum control measures that DEQ suggests toward protecting the City's storm water resources. He reviewed the six measures: 1) The first measure involves educating the public and building working relationships with regional agencies and local civic groups. The educational aspect of the permit is focused at all sectors of the community, but is more heavily focused on school-aged children. 2) The second permit measure involves Public Participation and involvement. To comply with this section of the permit, the City continues to promote events, such as: Household Hazardous Waste Collection Day, Blacks Run Clean-up Day, Adopt a Street Program, Citywide Recycling Program, and citizen panel and public meetings. 3) The next measure that the permit addresses is Illicit Discharges and their detection. To comply with this measure, the City continues to update the Storm Drain System Map. The next two measures are both directly related to construction sites and erosion control practices. These are focused at both the planning and construction phases of development and redevelopment. The final measure that the permit covers includes Good Housekeeping and Pollution prevention. This section includes many existing City programs including, street sweeping, storm drain inspection and cleaning, waste oil heating, and fleet wash operations. The City continues to maintain these current programs and is also working on more intense employee training. It is important that we all have a thorough knowledge of storm water issues, so that we can make educated decisions to protect our storm water and reduce pollution. Public Works Director Jim Baker said that the program involves a lot of citizen participation and the City wants to enhance the program by continuing this process. As the program grows educating the community on the importance of keeping the storm water clean of pollutants by volunteer effort. Vice-Mayor Rogers offered a motion to approve this annual report as presented. The motion was approved with a unanimous vote of Council Members present.

City Manager Baker presented a certified receipt of 2004 Democratic Presidential Primary election results provided by the Electoral Board.

Al Sharpton	18
John F. Kerry	516
Wesley K. Clark	119
Howard Dean	114
Joe Lieberman	1
John Edwards	270
Dennis J. Kucinich	53
Dick Gephardt	0
Lyndon H. LaRouche, Jr.	0

Council accepted the election results and asked the City Clerk to enter the names into the official minutes.

The next item of business was an update on a Community Block Grant Program. Assistant City Manager Hodgen said that due to its "Metropolitan Area" status, Harrisonburg now qualifies as an entitlement community under the CDBG program guidelines. This makes the City eligible to receive up to \$645,000 per year from the Federal Department of Housing and Urban Development (HUD). The program is targeted toward programs and services benefiting low and moderate income residents. There are fairly substantial administrative requirements and

extensive public participation requirements regarding plans for us the funds although City Council has the final word as long as expenditures fall within categories of eligible program activities. It will be necessary to hold a public hearing at the March 23rd Council meeting and he requested permission to proceed with advertising the public hearing. The Consolidated Plan will be much more time-consuming and will need to be submitted to HUD for approval no later than August 16, 2004. Since HUD guidelines allow up to 20% of program funds to be spent on administration of the program, it is their recommendation that we hire a “CDBG Program Coordinator”. Council directed City Manager Baker to proceed with advertising the public hearing and CDBG Program Coordinator position.

The next item of business was amending Section 9-1-1 of the Harrisonburg City Code. This ordinance amendment changes the composition of the Parks and Recreation Commission. It also add language to the ordinance by stating members shall be composed from persons eligible to resister to vote in the City. Council Member Peterson offered a motion to approve amending this ordinance for a second reading. The recorded roll call vote was taken as follows:

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

Absent – Council Member Lantz

The next item of business was amending Section 6-2-5 of the Harrisonburg City Code. The Transportation Safety Commission requested adding material, debris, dumpsters, and unlicensed construction equipment to the ordinance. Council Member Peterson offered a motion to approve amending this ordinance for a second reading. The recorded roll call vote was taken as follows:

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

Absent – Council Member Lantz

City Manager Baker presented a request for a supplemental appropriation for the Fire Department. He said that these funds are necessary for the renovation of the City/County E-911 system. Rockingham County is responsible for 50% of these changes, and will be billed for such. The recorded roll call vote was taken as follows:

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

Absent – Council Member Lantz

Bucky Berry a resident of Harrisonburg requested that another cable company provide service in the City.

City Manager Baker announced that departments heads and other staff members will be in a special training class for three days during next week.

City Manager Baker announced that the Pat Summerall Production would like to give a “Champions of Small City Management Award” to Harrisonburg. Pat Summerall Production will air a two-minute broadcast announcement one time on Headline News Network. It will cost the City \$24,000 to receive the award and have the video, which can be used for promotion. Mr. Baker said after discussing this award with Economic Development Director Brian Shull, Brian has indicated he could cover this expense from his advertising budget.

At 9:37 p.m., there being no further business and on motion adopted the meeting was adjourned.

CITY CLERK

MAYOR