

## REGULAR MEETING

JULY 13, 2004

At a regular meeting of Council held this evening at 7:30 p.m., there were present: Mayor Larry M. Rogers; City Manager Roger Baker; Assistant City Manager Kurt Hodgen; City Attorney Earl Q. Thumma, Jr., Vice-Mayor Rodney L. Eagle; Council Members Charles R. Chenault; Hugh J. Lantz; George W. Pace; City Clerk Yvonne "Bonnie" Ryan, CMC/MMCA, and Chief of Police Donald Harper.

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

Vice-Mayor Eagle offered a motion to approve the consent agenda, including approval of the June 22<sup>nd</sup> and July 1<sup>st</sup> minutes and the second reading of a Supplemental Appropriation for the Police Department and Parks and Recreation Department, referring an alley closing request to the Planning Commission, a rezoning request by Raymond Knicely and a request to expand the Virginia Mennonite Retirement Center. The motion also included authorizing City Manager Roger Baker to transfer funds from the Reserve for Contingency to other funds. The motion was seconded by Council Member Pace, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault  
Council Member Pace  
Council Member Lantz  
Vice-Mayor Eagle  
Mayor Rogers

Absent – None

Ms. Nancy Hopkins-Garriss, Executive Director of Pleasant View, Inc., gave an overview and background, of the company. Pleasant View was founded in 1971 to serve adults with developmentally disabilities. The company plans to build a new facility for their "Day Program" at 151 Commerce Drive in the City of Harrisonburg. In the past few years, they have been renting space from the Virginia Mennonite Retirement Community. The new building will be constructed by Lantz Construction Company, and will contain classrooms, training rooms, a prayer room, and offices for staff. The building will cost approximately \$2 million. Pleasant View has been in a capitol campaign and so far has raised over a million dollars.

Council Member Pace asked whether or not the building was correctly zoned for the site. Ms. Nancy Hopkins-Garris answered that yes it was correctly zoned for "Business".

Carolyn Perry, an attorney representing Pleasant View, said Pleasant View was a tax-exempt organization and has the opportunity to take advantage of low interest financing. The offices are located in Broadway, which allows them to go to their IDA to ask for the bank-qualified eligibility. This is a 10 million dollar limitation, which allows the City to preserve its bank-qualified eligibility for its own projects. Pleasant View must pay the principal and interest

on these bonds. The Town of Broadway has approved these bonds and held a public hearing. Because the facility will be located in Harrisonburg, approval by Harrisonburg City Council is required by Virginia law, and will have no impact on the City "bank-qualified" eligibility.

Mayor Rogers presented the following resolution for Council's consideration of approval:

**RESOLUTION OF THE CITY COUNCIL OF CITY OF HARRISONBURG, VIRGINIA  
APPROVING THE ISSUANCE OF A REVENUE BOND TO BE ISSUED BY THE  
INDUSTRIAL DEVELOPMENT AUTHORITY OF TOWN OF BROADWAY,  
VIRGINIA, FOR THE BENEFIT OF PLEASANT VIEW, INC.**

**WHEREAS, the Industrial Development Authority of Town of Broadway, Virginia (the "Authority") has considered the financing request of Pleasant View, Inc. (the "Corporation") for the issuance of the Authority's revenue bond in the aggregate principal amount of \$1,500,000 (the "Bond") to assist the Corporation in financing a portion of the total costs to: (i) acquire, construct and equip an approximately 16,000 square foot new facility to be located at 151 Commerce Drive, City of Harrisonburg, Virginia 22802, to assist the Corporation to carry out its charitable mission in the community more effectively and efficiently for the provision of programs at such facility for persons who have disabilities, including the Harrisonburg Adult Developmental Day Program, the Community Connections Program, and the Supported Employment Program, and, further, for the provision of new administrative offices for the Corporation in connection with its general operations, and (ii) pay issuance costs associated with such financing (collectively, the "Project");**

**WHEREAS the Authority issues its bonds on behalf of the Town of Broadway, Virginia (the "Town");**

**WHEREAS the City Council of the City of Harrisonburg, Virginia (the "City Council") constitutes the highest elected governmental unit of the City;**

**WHEREAS the Authority has duly held a public hearing on July 6, 2004, on the issuance of the Bond upon due notice of publication therefor, and the Authority has recommended to the City Council to approve the Project and the Bond, as required by Section 15.2-4905 of the Code of Virginia, 1950, as amended; and**

**WHEREAS, a copy of the Fiscal Impact Statement, the Certificate of Publication of Public Notice, a Summary of Statements at the Public Hearing, and a copy of the authorizing resolution of the Authority duly adopted on July 6, 2004 (the "Authority Resolution") approving the issuance of the Bond, subject to the terms to be agreed upon, have been filed with the City Council as required by law.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA:**

1. The City Council concurs with the Authority Resolution and approves the Project and the issuance of the Bond by the Authority for the benefit of the Corporation, as more particularly described in the Authority Resolution.

2. The approval of the issuance of the Bond does not constitute an endorsement to prospective purchasers of the Bond or the creditworthiness of the Project or the Corporation.

3. The Bond shall provide that it shall not be deemed to constitute a debt or pledge of the faith and credit or taxing power of the Commonwealth of Virginia, or any political subdivision thereof, including the Authority, the Town, and the City, and neither the Authority nor any other political subdivision shall be obligated to pay the principal of, premium, if any, or interest on the Bond or other costs incident thereto, except from the revenues and monies pledged therefor, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia, or any political subdivision thereof, including the Authority, the Town and the City, shall be pledged for the payment of principal or premium, if any, or interest on the Bond or other costs incident thereto.

This Resolution will take effect immediately upon its adoption.

Adopted: July 13, 2004

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Mayor, City of Harrisonburg, Virginia

**CERTIFICATE**

The undersigned Clerk of the City Council of the City of Harrisonburg, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of a Resolution entitled, "Resolution Of The City Council Of City Of Harrisonburg, Virginia Approving The Issuance Of a Revenue Bond To Be Issued By The Industrial Development Authority Of Town of Broadway, Virginia, For The Benefit of Pleasant View, Inc." adopted by the City Council at a regular meeting duly held and called on July 13, 2004. A record of the roll-call vote by the City Council is as follows:

NAME	AYE	NAY	ABSTAIN	ABSENT
Larry M. Rogers, Mayor	X			
Rodney L. Eagle, Vice-Mayor	X			
Hugh J. Lantz	X			
George W. Pace	X			
Charles R. Chenault	X			

Date: July 13, 2004

[SEAL]

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**City Clerk  
City of Harrisonburg, Virginia**

Council Member Chenault offered a motion to adopt the resolution. The motion was seconded by Council Member Pace, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault  
Council Member Pace  
Council Member Lantz  
Vice-Mayor Eagle  
Mayor Rogers

Absent – None

Michael Wong, Executive Director of the Harrisonburg Redevelopment and Housing Authority, presented a resolution requesting support of a grant application to the Housing Urban Development for a Continuum of Care Grant. He said if the grant application is successful it could possibly bring \$274,000 to the area. Many local charities and churches are involved in the effort. The focus of this grant is to develop and administer a collaborative process to prevent homelessness, to improve self-sufficiency, skills with appropriate housing and support services, and individual housing needs. He also said that HRHA hopes to create permanent housing for persons with disabilities that are homeless, services to assist them, establish a homeless management information system, analyze housing needs and issues, cure chronic homelessness, and develop a information referral system. Currently the grant is funded through the Community Resource Center, part of the Healthy Community Council.

Mayor Rogers presented the following resolution for Council’s consideration of approval:

**RESOLUTION  
SUPPORTING a CONTINUUM OF CARE GRANT by HUD to  
THE HARRISONBURG REDEVELOPMENT AND HOUSING AUTHORITY**

**WHEREAS, the Harrisonburg Rockingham Housing Continuum of Care Alliance was established as a sub-committee of the Healthy Community Council in the spring of 2003 (the “Alliance”). The Alliance is comprised of a variety of human service agencies and individuals who serve Harrisonburg and Rockingham County, Virginia and have a common goal of addressing housing. Its mission was to analyze and promote system change to improve and address the full continuum of housing needs and issues in the local area; and,**

**WHEREAS, the Alliance has completed a needs assessment that specifically identifies housing needs for individuals with disabilities, elderly and persons in abusive situations; and,**

**WHEREAS, the Alliance has requested that the Harrisonburg Redevelopment and Housing Authority (the "Authority") apply to the Federal Offices of the Housing and Urban Development for a Continuum of Care grant. The grant will allow the Alliance to focus on the following:**

- a) Develop and administer a collaborative process to prevent homelessness;**
- b) Improve self-sufficiency skills with appropriate housing and supportive services; and**
- c) Address individual housing needs within the service area's housing continuum.**

**WHEREAS, the Authority now desires to obtain the support of the City of Harrisonburg (the "City") for the grant.**

**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 supports the Authority's application to the Federal Offices of the Housing and Urban Development for a Continuum of Care grant.**

**This resolution shall take effect immediately upon its adoption.**

**READ AND ADOPTED: July 13, 2004**

**CERTIFICATE**

**Record of the roll-call vote by the City Council of the City of Harrisonburg, Virginia, upon reading on a resolution titled "RESOLUTION SUPPORTING a CONTINUUM OF CARE GRANT by HUD to THE HARRISONBURG REDEVELOPMENT AND HOUSING AUTHORITY" taken at a regular meeting of the City Council held on July 13, 2004:**

	AYE	NAY	ABSTAIN	ABSENT
Larry M. Rogers, Mayor	X			
Rodney Eagle, Vice-Mayor	X			
Hugh J. Lantz	X			
Charles R. Chenault	X			
George Pace	X			

**Dated: July 13, 2004**

(SEAL)

\_\_\_\_\_  
**Mayor, City of Harrisonburg, Virginia**

**ATTEST:**

\_\_\_\_\_  
**Clerk, City Council of the City of  
Harrisonburg, Virginia**

Council Member Lantz offered a motion to adopt the resolution. The motion was seconded by Vice-Mayor Eagle, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault  
Council Member Pace  
Council Member Lantz  
Vice-Mayor Eagle  
Mayor Rogers

Absent – None

Council Member Lantz offered a motion to approve FY 2005 State Performance Contract for the Harrisonburg-Rockingham Community Services Board. The motion was seconded by Council Member Pace and approved with a unanimous vote of Council.

City Treasurer Neal presented a request to advertise delinquent real estate taxes for 2001/2002 and 2002/2003. The ads themselves are \$500 and are published twice in the Daily News-Record. Vice-Mayor Eagle offered a motion to approve this request. The motion was seconded by Council Member Chenault and approved with a unanimous vote of Council.

The next item was a request to designate the United Way Success by Six Regional Early Coalition as the City's agent. Elisa McDonald, Executive Director of the United Way, explained that the group is applying for 2004 Early Learning Opportunities Act (ELOA) discretionary grant funds. She provided an overview of past funding projects and successes. The plan allows the United Way to continue the success of the Reading Road Show, develop an intensive comprehensive training program for regional day care providers, provide transportation for field

trips, provide for local day care centers ESL consultants, provide local at-risk first time parents intensive services and monitoring, expand the coverage to Shenandoah and Page Counties, and provide parent training on early learning and related health issues for their children. It will also provide an opportunity to increase the skills of local daycare providers, in depth training on development issues, providing school readiness including emergent literacy, social emotional development and ESL. Parents will have an opportunity to increase their skills and understanding that will contribute to their children's success in learning and life through a variety of trainings and neighborhood literacy activities. She requested that City Council designate the United Way Success by Six Regional Early Coalition as the eligible council to apply for this funding. Council Member Pace offered a motion to approve this request. The motion was seconded by Council Member Chenault and approved with a unanimous vote of Council.

City Council Members agreed to hold a Council Planning Work Session on August 27, 2004 at 4:00 p.m.

The next item of discussion was to consider setting dates for holdings joint City Council/School meetings. City Council agreed to hold the first meeting on August 31, 2004.

City Manager Baker presented a request from the Downtown Retail Merchants Association. He explained that the association has requested permission to hold the annual "Cruise In and Craft Show" on Saturday, August 28<sup>th</sup> from 9:00 a.m. until 3:00 p.m. He also said that no objections have been raised to this request, although the Fire Department will require that a 20-foot wide lane be kept open for emergency vehicle access. Vice-Mayor Eagle offered a motion to approve this request. The motion was seconded by Council Member Chenault and approved with a unanimous vote of Council.

The next item of business was a request from the Boys & Girls Club of Harrisonburg and Rockingham County. Bev Solomon, Director of Development of the Boys & Girls Club, said that the club will be holding a "National Kids Day" on Sunday, August 1<sup>st</sup> from 1:00 p.m. until 4:00 p.m. The group is requesting to block off Main Street from Water Street to Elizabeth Street for the event. The Boys & Girls Clubs are teaming up with the Harrisonburg Parks & Recreation Department and other downtown merchants for the non-profit organization event. Council Member Lantz offered a motion to approve this request. The motion was seconded by Council Member Chenault and approved with a unanimous vote of Council.

The next item of business was amending and re-enacting Section 1-1-13 of the Harrisonburg City Code. City Manager Baker said that the Electoral Board has requested Council to amend the Central Absentee Voter Election District section of the City Code to include Primary and Special elections. A central absentee precinct would be used for all elections and would help to eliminate confusion at the polling places for election officials required to use different forms when counting absentee ballots. Council Member Lantz offered a motion to amend Section 1-1-13 of the City Code for a first reading. The motion was seconded by Council Member Chenault, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault

Council Member Pace  
Council Member Lantz  
Vice-Mayor Eagle  
Mayor Rogers

Absent – None

The next item of business was approval of the Community Development Block Grant Consolidated Plan. Assistant City Manager Hodgen said that staff presented the draft plan in June. Two required public hearings have been held and the 30-day public comment period has ended. As a result of the 30-day comment period, one change is being recommended and that is the inclusion of \$6,000.00 for the Community Resource Center (CRC) and Housing and Redevelopment Authority funding for a “Homeless Management Information System”. The \$6,000.00 would serve as matching funds for a separate grant application that the CRC is submitting to HUD. If the larger HUD grant is not received by the CRC, they will not receive the \$6,000.00 from the City’s CDBG funds. The grand total spending plan is \$648,000.00. This plan will be submitted to HUD for review. Upon receiving approval from HUD the City will be able to begin the draw down process in receiving funds. Council Member Lantz offered a motion to approve this plan. The motion was seconded by Council Member Chenault and approved with a unanimous vote of Council.

The next item of business was a request to amend the City Procurement Manual. City Manager Baker said these proposed changes are being recommended to include the Code of VA updates, adopted July 1, 2003, increasing amounts for request for proposal or invitation to bid, and increasing small purchase dollar amounts to match bidding thresholds. Council Member Pace offered a motion to amend the City Procurement Manual. The motion was seconded by Council Member Lantz, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault  
Council Member Pace  
Council Member Lantz  
Vice-Mayor Eagle  
Mayor Rogers

Absent – None

City Manager Baker presented a request to transfer funds to adjust the budget for the fiscal year 2004-2005. He said that the budget for the Harrison Plaza building has been included in the City’s 2004-2005 budget as an expense of the Planning and Community Development Department. However, as of July 1, 2004, the expenses for the Public Safety Building will be handled by the Fire Department. Council Member Chenault offered a motion to approve this request, and that:

\$26,780 chge. to: 1000-430121-41010 Salaries and wages  
156 chge. to: 1000-430121-41015 Employer benefit match  
515 chge. to: 1000-430121-41020 Salaries and wages – Overtime

3,241 chge. to: 1000-430121-41030 Part time salaries and wages  
 2,348 chge. to: 1000-430121-42010 FICA  
 4,084 chge. to: 1000-430121-42020 Retirement – VRS  
 2,563 chge. to: 1000-430121-42050 Hospital insurance  
 457 chge. to: 1000-430121-42110 Worker’s Comp. Insurance  
 10,572 chge. to: 1000-430121-43320 Service contracts  
 11,000 chge. to: 1000-430121-43330 Maint & repair-Mach & equip  
 3,000 chge. to: 1000-430121-43360 Maint & repair-Buildings & grounds  
 3,000 chge. to: 1000-430121-44300 Central Stores  
 70,488 chge. to: 1000-430121-45110 Electricity  
 14,490 chge. to: 1000-430121-45119 Natural gas  
 8,640 chge. to: 1000-430121-45130 Water and sewer  
 1,308 chge. to: 1000-430121-45230 Telecommunications  
 4,458 chge. to: 1000-430121-45310 Boiler & Machinery insurance  
 3,648 chge. to: 1000-430121-45340 Property Insurance  
 79 chge. to: 1000-430121-45370 Pub. Official Liab. Insurance  
 60 chge. to: 1000-430121-45380 General Liab. Insurance  
 400 chge. to: 1000-430121-46110 Uniforms  
 3,000 chge. to: 1000-430121-46140 Other Operating Supplies  
2,000 chge. to: 1000-430121-48111 Machinery & equipment

Total 176,287

26,780 approp. to: 1000-320632-41010 Salaries and wages  
 156 approp. to: 1000-320632-41015 Employer benefit match  
 515 approp. to: 1000-320632-41020 Salaries and wages – Over time  
 3,241 approp. to: 1000-320632-41020 Part time salaries and wages  
 2,348 approp. to: 1000-320632-42020 Retirement-VRS  
 457 approp. to: 1000-320632-42110 Worker’s Comp. Insurance  
 10,572 approp. to: 1000-210632-43320 Service contracts  
 11,000 approp. to: 1000-320632-43330 Maint & repair-Mach & equip  
 3,000 approp. to: 1000-320632-43360 Maint & repair-Bldgs & gnds  
 3,000 approp. to: 1000-320632-44300 Central Stores  
 70,488 approp. to: 1000-320632-45110 Electricity  
 14,490 approp. to: 1000-320632-45119 Natural gas  
 8,640 approp. to: 1000-320632-45130 Water & Sewer  
 1,308 approp. to: 1000-320632-45230 Telecommunications  
 4,458 approp. to: 1000-320632-45310 Boiler & Machinery Insurance  
 3,648 approp. to: 1000-320632-45340 Property Insurance  
 79 approp. to: 1000-320632-45370 Pub. Official Liab. Insurance  
 60 approp. to: 1000-320632-45380 General Liab. Insurance  
 400 approp. to: 1000-320632-46110 Uniforms  
 3,000 approp. to: 1000-320632-46140 Other Operating Supplies  
 2,000 approp. to: 1000-320632-48111 Machinery & equipment

Total 176,287

The motion was seconded by Council Member Lantz, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault  
Council Member Pace  
Council Member Lantz  
Vice-Mayor Eagle  
Mayor Rogers

Absent – None

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. He said that the Police Department developed and implemented a community gun lock/safe storage campaign. These funds were received through a grant from the Virginia Department of Health for the distribution of free gun locks and printed materials. Council Member Chenault offered a motion to approve this request for a first reading, and that:

\$2,500.00 chge. to: 1000-31010 Amount from fund balance

\$2,500.00 approp. to: 1000-310431-46010 Office supplies

The motion was seconded by Vice-Mayor Eagle, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault  
Council Member Pace  
Council Member Lantz  
Vice-Mayor Eagle  
Mayor Rogers

Absent – None

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. He said that DMV will reimburse the City to purchase the Vince and Larry crash dummies costumes for Traffic Safety Promotional Aids. Council Member Chenault offered a motion to approve this request for a first reading, and that:

\$1,500.00 chge. to: 1000-31010 Amount from Fund Balance

\$1,500 approp. to: 1000-310231-46140 Other operating supplies

The motion was seconded by Vice-Mayor Eagle, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault

Council Member Pace  
Council Member Lantz  
Vice-Mayor Eagle  
Mayor Rogers

Absent – None

At 8:30 p.m., Vice-Mayor Eagle offered a motion that Council enter a closed session for discussion and consideration of the acquisition of real property to be used for a public purpose, exempt from public meeting requirements pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended. The motion also included discussion and consideration of prospective candidates to be appointed to the Blue Ridge Disability Service Board, Board of Zoning Appeals, Industrial Development Authority, Social Service Advisory Board, Community Service (Chapter 10) Board, and Harrisonburg Redevelopment and Housing Authority, exempt from public meeting requirements pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended. The motion was seconded by Council Member Pace, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault  
Council Member Pace  
Council Member Lantz  
Vice-Mayor Eagle  
Mayor Rogers

Absent – None

At 9:25 p.m., the closed session ended and the regular session reconvened. City Clerk Ryan read the following statement which was agreed to with a unanimous recorded vote of Council Members present: I hereby certify to the best of my knowledge and belief that (1) only public matters lawfully exempt from open meeting requirements pursuant to Chapter 21 of Title 2.1 of the Code of Virginia, 1950, as amended, and (2) only such public business matters as were identified in the motion by which the closed session was convened, were heard, discussed or considered in the closed session by the City Council.

Council Member Lantz offered a motion that Denise A. Whitman, 417 Mt. View Drive be appointed to a first term on the Community Services (Chapter 10) Board to expire on July 1, 2007. The motion was seconded by Vice-Mayor Eagle, and approved with a unanimous vote of Council.

Council Member Lantz offered a motion that David F. Denman, 225 Betts Road, be appointed to an unexpired term on the Harrisonburg Redevelopment & Housing Authority to expire on November 29, 2004. The motion was seconded by Vice-Mayor Eagle, and approved with a unanimous vote of Council.

Council Member Lantz offered a motion that Kathryn Whitten, 560 South Mason Street, be recommended to the Circuit Court for a first term on the Board of Zoning Appeals to expire

on March 20, 2009. The motion was seconded by Vice-Mayor Eagle, and approved with a unanimous vote of Council.

Council Member Lantz offered a motion that E. Maupin Stewart, 910 Ridgewood Road, be appointed to a first term on the Industrial Development Authority to expire on April 24, 2008. The motion was seconded by Vice-Mayor Eagle, and approved with a unanimous vote of Council.

At 9:26 p.m., there being no further business and on motion adopted the meeting was adjourned.

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CITY CLERK

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MAYOR