

REGULAR MEETING

JUNE 28, 2005

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

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

Leonard Van Wyk, a resident of the City, announced that a bicycle ride in downtown Harrisonburg will occur on Saturday, July 30 at 4:00 p.m. This will be a family-friendly ride primarily for the participants of the Shenandoah Valley Bicycle Festival (SVBF) and their families.

Council Member Chenault requested that, Item #5n on the consent agenda, be removed and considered as a separate item.

Council Member Pace requested that, Item #5m on the consent agenda, be removed and considered as a separate item because he had voted against the request by Alan E. Strawderman & Be Tran to rezone three parcels at 301 Port Republic Road for a first reading. After further discussion and comments, Council Member Pace withdrew his request regarding Item #5.

Council Member Pace offered a motion to approve the consent agenda, including approval of the minutes and the second reading of supplemental appropriations for the Treasurer's office, Fire Department, Police Department, Parks and Recreation Department, Dog and Cat Sterilization Funds, Arts Council, adjust the budget for fiscal year 2004-2005, and increase the budget to fund anticipated budget deficits at the year end. The motion also included the second reading of an additional \$5,000 in funds for the Arts Council Valley 4th, a rezoning request by Alan E. Strawderman & Be Tran and amending and re-enacting Section 13-1-3 of the Harrisonburg City Code. The motion was seconded by Vice-Mayor Eagle, and approved with a recorded roll call vote taken as follows:

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

Absent – None

Council Member Chenault said at the June 14th City Council meeting several City businesses were approved for exemption from local taxation. He suggested that the exemptions should be approved for a period of one year because Council needs to develop some criteria for applicants to comply with in order to be granted an exemption. “We have absolutely no criteria at all to evaluate these requests, and we need to take some time in the coming months to do that.” We adopted the 2005-2006 budget and then granted exemptions from local taxation totaling \$20,000. “It seems to me that this is not prudent financial planning.” He suggested that Council develop an application process with a deadline to apply for tax exemption.

Council Member Chenault offered a motion to approve five businesses (Geimeinschaft Home, Harrisonburg Gift & Thrift Shop, Hope Community Builders, Harrisonburg/Rockingham County Free Clinic) for exemption of real estate tax and CART for personal property tax exemption for one year. The motion also included immediately beginning a process of formulating and evaluating a tax exemption ordinance. The motion was seconded by Vice-Mayor Eagle, and approved with a recorded roll call vote taken as follows:

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

Abstained - Council Member Lantz

Absent – None

Council Member Chenault suggested that a committee consisting of Finance Director Lester Seal, Commissioner of Revenue June Hosaflook, and Treasurer Becky Neal review state laws regarding tax exemption, research other localities’ ordinances, and determine whether potential local charities are eligible for this exemption and present a report to City Council in the near future.

Assistant Economic Developer Director Jim Barnes presented for Council’s consideration an application for a proposed Enterprise Zone located in downtown Harrisonburg. He said during the last month the Department of Economic Development has been working on an application to the Commonwealth of Virginia for an Enterprise Zone. At present, there are six available slots for Enterprise Zones that the Commonwealth can grant. This is due to the expiration of the 20-year maximum life of six existing zones within Virginia communities. The Enterprise Zone will provide the City of Harrisonburg another opportunity to help generate private investment within the downtown area. It is a goal of the Department of Economic Development to create a variety of opportunities that entice, attract, and encourage local developers to invest in Harrisonburg and rehabilitate deteriorated buildings, vacant lots, and vacant factories. This opportunity will also attract outside investors to invest in our city. The Enterprise Zone fits very well with the goals the City has established for revitalizing the downtown area. The key is new investment. It is an opportunity that fits very well within our philosophy. The Enterprise Zone creates and stimulates economic growth. An enterprise zone is a distinct geographical area that is granted by the Governor for a period of 10 years with the

option of two five-year renewals. It is also required that the City have a zone administrator. Dr. Barnes recommended that the City Manager or his designee have that responsibility.

Virginia's new Enterprise Zone program has two grant incentives, which replaces the tax credits offered previously. These grants are for job creation and real property investment. A job creation grant is based on the total amount of salaries being paid, which is extremely important for small businesses. The second grant is a real property investment grant, which is an important incentive for local property owners who have been reluctant to rehabilitate their properties. He reviewed the zone area, which starts at the corner of Franklin Street and Mason Street and goes north to Gay Street, then turning left toward the point where Liberty Street and North Main come together; continue south on Liberty Street and then connecting back to Franklin Street. This Enterprise Zone proposal complements existing initiatives to rehabilitate vacant property. There is also a provision that allows the City to submit a request to expand the zone annually. There are a variety of incentives; however he noted there will be a 50% reduction on property taxes for machinery and equipment for year one and 25% reduction in year two after certification. The three year BPOL exemption, an exemption from water and sewer connection fees, and the partial exemption for renovation and rehabilitation ordinance remains the same. He said that a Technology Assistance incentive has been added to assess technology needs and provide technology assistance to companies locating in the zone. A Business Assistance incentive has been added to conduct a variety of seminars and workshops to help property owners improve their productivity. We are a prime location to take advantage of dislocated defense contractors as a result of BRAC (base realignment by the federal government). The final incentive is customized training and education through James Madison University and Blue Ridge Community College.

At 8:06 p.m., Mayor Rogers closed the regular session temporarily and called the evening's public hearing to order. The following notice appeared in the Daily News-Record on Monday, June 13, and Monday, June 20, 2005.

**Harrisonburg Enterprise Zone Application Public Hearing
City Council Meeting
June 28, 2005**

The Harrisonburg City Council will hold a public hearing on Tuesday, June 28, 2005 at 7:30 p.m., in the Municipal Building, City Council, 345 South Main Street, to consider the following:

Virginia Enterprise Zone

The Virginia Enterprise Zone program was established by the General Assembly in 1982 through passage of the Virginia Enterprise Zone Act (§59.1-270 through §59.1-284 of the Code of Virginia). The purpose of the program is to stimulate business and industrial growth in such areas, which would result in neighborhood, commercial and economic revitalization of such areas of the Commonwealth by means of regulatory flexibility and grants. An enterprise zone is a distinct geographical area of a county, city or town that is designated by the Governor for a period of 10 years with two five-year-renewals. The

Virginia Department of Housing and Community Development (DHCD), Office of Community Revitalization and Development administers the program guided by the Virginia Enterprise Zone Program Regulations. The regulations specify criteria and procedures for enterprise zone administration, designation and amendment, and defining the qualification criteria for participating businesses. Each designated enterprise zone has a Local Zone Administrator who is responsible for overseeing the local program and assisting businesses in obtaining state and local incentives. Fifty-seven zones are currently designated.

New Program Incentives

The new program has two grant incentives; the new Enterprise Zone Program does not offer tax credits. These grants are for job creation and real property investment. Qualification will be based on a calendar year for both incentives. To find out how the new program compares to the existing program.

The JOB CREATION GRANTS are similar to the existing job grant incentive and are based on permanent full time job creation. Under the new program, the amount of the grant will be based on the wages paid for those positions rather than on zone residency.

The REAL PROPERTY INVESTMENT GRANT is identical in many ways to the existing Real Property Improvement Tax Credit, except that the incentive is offered as grant rather than a refundable tax credit. Some important differences are that there is no longer an occupancy requirement for the entity seeking the grant and the maximum grant award is based on the level of investment.

In addition, those businesses with real property investments placed in service during calendar year 2004, that were not able to submit a tax credit request under the existing program due to the timing of their tax year, may apply for a real property investment grant in 2006.

The new Enterprise Zone Grant Program becomes effective July 1, 2005 and will be available beginning with calendar year 2005. We anticipate that submittal deadlines will be similar to those used under the existing program. Thus, qualification requests for job creation and/or real property investment that occurred in calendar year 2005 will be accepted and processed in 2006.

All persons interested will have an opportunity to express their views at this public hearing. Any individual requiring auxiliary aids, including signers, in connection with the public hearing shall notify the City Manager at least five (5) days prior to the date of the meeting.

CITY OF HARRISONBURG
Roger D. Baker
City Manager

Mayor Rogers called on anyone desiring to speak for or against this proposed Enterprise Zone. There being no one desiring to be heard, the public hearing was declared closed at 8:07 p.m., and the regular session reconvened. Council Member Pace offered a motion to approve the following resolution as presented.

Enterprise Zone Resolution

WHEREAS, the City of Harrisonburg is committed to revitalization and attracting new development and business to the City;

WHEREAS, the City of Harrisonburg has supported key revitalization efforts, such as Harrisonburg Downtown renaissance, Virginia Main Street, Preserve America, National and Virginia Historic designations, the Arts and Cultural District, the Harrisonburg Technology Park, and the Harrisonburg Downtown Technology Zone;

WHEREAS, the City of Harrisonburg seeks to provide creative incentives and funding vehicles to attract and make developers and financial institutions feel safe about investing in revitalization projects;

WHEREAS, the goals of the Enterprise Zone provide a greater opportunity for participation in revitalizing the central downtown business district, and support for the economic vitality of the City; and

WHEREAS, this initiative is compatible with our City's interests and goals related to revitalization; and

WHEREAS, designation as an Enterprise Zone will improve our community's ability to protect and promote its downtown revitalization; now therefore be it

RESOLVED, that the City Council of the City of Harrisonburg will apply for the designation of Harrisonburg as a Enterprise Zone; and be it further

RESOLVED, that City Council of the City of Harrisonburg will protect and celebrate our assets for economic development and community revitalization, and encourage public-private partnerships and private development.

Dated: June 28, 2005

Mayor

Attest:

Clerk of City Council

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

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

Absent – None

Council Member Pace offered a motion to approve the criteria for the type of incentives available with the caveat that if there are more requests for funds than there are funds available that the prioritization of who receives those funds would come to the City Council. The motion was seconded by Council Member Chenault, and approved with a recorded roll call vote taken as follows:

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

Absent – None

Planning and Community Development Director Turner introduced a request for a preliminary subdivision plat approval of Heritage Estates Section 3. This request is for a variance to the subdivision requirement that all lots front on a public street. These lots would be included in the previously platted Heritage Estates development. The Comprehensive Plan designates this area as Low-Density Mixed Residential. She reviewed the surrounding uses in the area. The original subdivision consists of 32 single-family home lots on private streets. The applicant is requesting to preliminarily plat nine additional lots to the Heritage Estates subdivision. A tenth lot is also planned; however, this lot could contain amenities such as a swimming pool, a pool house, tennis courts and/or garden areas. There are two ways in and out of the new section of the development and there are two access points onto Garbers Church Road. She said that Planning Commission recommended approval of the request. Vice-Mayor Eagle offered a motion to approve this request. The motion was seconded by Council Member Lantz, and approved with a recorded roll call vote taken as follows:

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

Absent – None

The next item of business was a presentation by Harrisonburg Downtown Renaissance. Eddie Bumbaugh, Executive Director of Harrisonburg Renaissance provided an update on the progress and accomplishments of HDR. He said that the City's last Streetscape Plan Comprehensive Plan was implemented 30 years ago. An Advisory Committee was established and Frazier and Associates was hired for the development of a Revitalization and Streetscape Plan. A streetscape covers a number of issues including banners, sidewalks, directional signage, kiosk, street furniture, lighting, plant life, gateways, economic development, and parking. It is hoped to implement at least one portion of the plan before the Virginia 2007 observation. He reviewed the characteristics of the unique downtown area. Frazier and Associates have suggested a number of improvements including brick sidewalks, benches, trash containers, planters, crosswalks promoting pedestrian traffic, switching parking spaces around Court Square, and providing a staging area for community events in the Court Square area. There will also be four gateways into the downtown area to encourage pedestrian use.

Council Member Pace commented that he was delighted with the suggestion to eliminate on-street parking meters.

Mr. Bumbaugh said extremely positive feedback has been received on the downtown banners. The Baltimore Company who made the banners has chosen Harrisonburg's banners to have on display across the country. The Economic Development Committee presented small business owners with the opportunity to apply for a grant to improve the facade of their building or improve their storefront. The Downtown Advisory Committee has been meeting for a year and has many recommendations. The Court Days Festival was held June 11th and plans are to hold the event again next year, but one week earlier because of area high school graduation. Attendance has increased at "Friday on the Square" events. Mr. Bumbaugh recognized the Police Department, Fire Department, Public Works Department, Parks and Recreation Department, and Community Development for assisting and helping with the many activities being held downtown. A successful fundraising event was held at Dave's Taverna on May 14th. He also said Harrisonburg will be hosting the quarterly workshop for "Virginia Main Street" September 28th and 29th.

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

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE BY THE VIRGINIA PUBLIC SCHOOL AUTHORITY OF ITS SCHOOL FINANCING BONDS (1997 RESOLUTION) REFUNDING SERIES 2003 D, A PORTION OF THE PROCEEDS OF WHICH REFUNDED THE CITY OF HARRISONBURG GENERAL OBLIGATION SCHOOL BONDS, SERIES 1992B AND REFUNDING SERIES 1994A; AND AUTHORIZING ANY OTHER ACTIONS NECESSARY TO ACHIEVE THE OBJECTIVES CONTEMPLATED HEREBY

WHEREAS, the Virginia Public School Authority (the "Authority") pursuant to (i) a bond resolution adopted on August 13, 1987, as amended and supplemented (the "1987 Resolution"); (ii) a bond resolution adopted on June 26, 1991, as amended, restated and supplemented (the "1991 Resolution"); and (iii) a bond resolution adopted on October 23,

1997, as amended, restated and supplemented (the “1997 Resolution”) issued bonds (respectively, the “1987 Resolution Bonds”, the “1991 Resolution Bonds” and the “1997 Resolution Bonds”) for the purpose of purchasing general obligation school bonds of certain cities and counties within the Commonwealth of Virginia;

WHEREAS, the Authority used a portion of the proceeds of certain 1987 Resolution Bonds to purchase certain duly authorized and issued general obligation school bonds of the City of Harrisonburg, Virginia (the “City”) designated the City of Harrisonburg General Obligation School Bonds, Series 1987 and 1992 Series A (“Prior Local School Bonds”);

WHEREAS, the Authority has issued under the 1987 Resolution several series of 1987 Resolution Bonds designated as “School Financing Bonds (1987 Resolution) 1991 Refunding Series C (the “Series 1991 C Bonds”), “School Financing Bonds (1987 Resolution) 1992 Series B” (the “Series 1992 B Bonds”) and “School Financing Bonds (1987 Resolution) 1993 Refunding Series B” (the “Series 1993 B Bonds”);

WHEREAS, the Authority refunded certain 1987 Resolution Bonds with a portion of the proceeds of its Series 1991 C Bonds and Series 1993 B Bonds and, in connection therewith, the City exchanged its Prior Local School Bonds with a duly authorized and issued general obligation school bond designated the City of Harrisonburg General Obligation School Bond, Refunding Series 1994 A (the “1994 A Local School Bond”);

WHEREAS, the Authority used a portion of the proceeds of the Series 1992 B Bonds to purchase certain duly authorized and issued general obligation school bonds of the City designated the City of Harrisonburg General Obligation School Bonds, Series 1992B (together with the 1994 A Local School Bond, the “Local School Bonds”);

WHEREAS, the Authority refunded its Series 1991 C Bonds, Series 1992 B Bonds and Series 1993 B Bonds (“Refunded Bonds”) with a portion of the proceeds of its Virginia Public School Authority School Financing Bonds (1997 Resolution) Refunding Series 2003 D (the “Refunding Bonds”) issued pursuant to the 1997 Resolution;

WHEREAS, the Authority in refunding the Refunded Bonds has pledged the Local School Bonds for the benefit of the holders of bonds issued under its 1997 Resolution;

WHEREAS, the Authority is required to assist the underwriters (the “Underwriters”) of the Refunding Bonds with their duty to comply with Securities and Exchange Commission (“SEC”) Rule 15c2-12 (the “Rule”);

WHEREAS, the Authority has requested the City to execute a Continuing Disclosure Agreement in order for the Authority to assist the Underwriters in complying with the Rule, and;

WHEREAS, the City Council of the City of Harrisonburg, Virginia considers it to be advisable for the City to fulfill the request of the Authority to execute a Continuing Disclosure Agreement;

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

1. Continuing Disclosure Agreement.

The Mayor, the City Manager and such officer or officers as they may designate are hereby authorized to enter into a Continuing Disclosure Agreement in the form attached as Appendix A hereto, containing such covenants as may be necessary in order for compliance with the provisions of the Rule, and any other documents the Authority deems necessary to comply with the SEC rules and any Internal Revenue Service rules and regulations regarding maintaining the tax-exempt status of the bonds.

2. Use of Proceeds Certificate.

The Mayor, the City Manager and such officer or officers as they may designate are hereby authorized to enter into a Use of Proceeds Certificate in the form attached as Appendix B hereto, containing such covenants as may be necessary in order for compliance with any Internal Revenue Service rules and regulations regarding maintaining the tax-exempt status of the bonds.

3. Further Actions.

The members of the City Council and all officers, employees and agents of the City are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the execution and delivery of the Continuing Disclosure Agreement and maintaining the tax-exempt status of the bonds, and any such action previously taken is hereby ratified and confirmed.

4. Effective Date.

This resolution shall take effect immediately.

* * * *

The undersigned Clerk of the City Council of the City of Harrisonburg, Virginia hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the City Council held on June 28, 2005 and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was duly held and complied with all requirements of law.

**Clerk of City Council
City of Harrisonburg, Virginia**

City Manager Baker said adopting this resolution allows the process to proceed with refunding bonds issued for the City. Passage of this resolution is necessary in order for the City to receive this refund. The funds must be used for school capital projects. Council Member

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

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

Absent – None

The next item was a request to designate the “Success by Six Coalition” of the Shenandoah Valley as the local council addressing early childhood development issues. Besty Hay, Executive Director of the United Way, explained that the group is applying for 2005 Early Learning Opportunities Act (ELOA) discretionary grant funds. She said through the success of an ELOA 2002 grant a Reading Road Show better know as “Gus the Bus” was established. The Reading Road Show has taken literacy experiences “on the road” to reach young children throughout Harrisonburg and Rockingham County and touches approximately 1,000 children every week as “Gus the Bus” makes its rounds. She also said this plan is expanding into Page County by adding a second bus and an ESL consultant to the Reading Road Show. 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 recorded roll call vote taken as follows:

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

Absent – None

City Manager Baker presented an application for a fireworks display at the Arts Council Valley 4th celebration. He explained that Dominion Fireworks has completed the appropriate application and they have met all Fire Department requirements. Council Member Chenault offered a motion to approve this request. The motion was seconded by Vice-Mayor Eagle, and approved with a unanimous vote of Council.

City Manager Baker presented an application for a fireworks display at Spotswood Country Club on July 4, 2005. He explained that American Fireworks Company has completed the appropriate application and they have met all Fire Department requirements. 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 by the Harrisonburg Rescue Squad. City Manager Baker said the Rescue Squad has requested that the City forgive the remaining balance of a loan in the amount of \$151,916.25. This loan was made to the Rescue Squad when it purchased the land and constructed a building. The City has an agreement with the Rescue Squad stating that the Rescue Squad will retain title to the land and the City will retain title to the building.

Steve Higgins representing the Rescue Squad said the squad has been experiencing increased calls every year for the past five years. Rapid replacement of vehicles and expanding the fleet of ambulances and response vehicles has increased the budget. He reviewed an average daily shift of response calls requiring manpower and vehicles.

Council Member Chenault offered a motion to approve forgiving the remaining portion of the Rescue Squad loan with a condition that the land or building couldn't be used as collateral for any other loan. The motion was seconded by Vice-Mayor Eagle, and approved with a recorded roll call vote taken as follows:

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

Absent – None

The next item of business was considering bids for the Port Republic Road Phase II improvements. Public Works Director Baker said bids had been received for the Port Republic Road Phase II improvements from Devon Lane to Neff Avenue/Peach Grove Avenue intersection. Improvements to the road include widening to four lanes with a center turn lane, curb and gutter storm drain improvements, sidewalks and bike lanes. The project will start immediately and hopefully be completed by August 1, 2006. He said the City only received one official bid in the amount of \$1,960,036 dollars; however, the engineer's estimate was \$1,749,437 dollars. Trying to re-bid or looking at changes in the bid will only cause delay and additional cost. He recommended approving the contract with Plecker Construction Company who was also the successful contractor for the first phase and did a really good job for the City. Council Member Pace offered a motion to approve the bid with Plecker Construction Company and move forward with Phase II of Port Republic Road. The motion was seconded by Council Member Lantz, and approved with a recorded roll call vote taken as follows:

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

Absent – None

Public Works Director Baker presented a request to transfer funds for the Public Works Department. He said these funds are being reallocated from the current budget funds into capital projects for Port Republic Road improvements. Council Member Pace offered a motion to approve transferring these funds, and that:

\$28,391.00 chge. to: 1000-410241-42050 Hospital Insurance
31,700.00 chge. to: 1000-410241-43010 Misc. Contracted Services
6,756.00 chge. to: 1000-410241-43320 Service Contracts
275,294.00 chge. to: 1000-410241-43374 Maint. & Rep.-Allowable
59,093.00 chge. to: 1000-410241-43375 Maint. & Rep.-Non-Allowable
158,867.00 chge. to: 1000-410241-48106 Sidewalks
23,000.00 chge. to: 1000-420641-43010 Misc. Contracted Services

\$583,101.00 approp. to: 1310-34210 Transfer from General Fund

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

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

Absent – None

City Manager Baker presented a certified receipt of 2005 primary government election results provided by the Electoral Board.

Governor

George B. Fitch	41
Jerry W. Kilgore	326

Lieutenant Governor

Leslie L. Byrne	75
J.C. “Chap” Petersen	87
Phillip P. Puckett	18
Viola Osborne Baskerville	36
Sean T. Connaughton	92
William T. “Bill” Bolling	258

Attorney General

Robert F. "Bob" McDonnell
Stephen E. Baril

266
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Council Member Pace offered a motion to accept the election results and asked the City Clerk to enter the names into the official minutes. The motion was seconded by Vice-Mayor Eagle, and approved with a unanimous vote of Council.

City Manager Baker said Rockingham County has requested that the Liaison Committee meet to discuss a request by the sheriff for additional deputies and a water contract.

City Manager Baker said that Rockingham County has requested using several rooms in the office building on Chicago Avenue. Rockingham County will be operating CART to serve citizens of the county and need office space.

Council Member Pace reported that Planning Commission has finished drafting the language on the revisions to the Residential Ordinances and have been forwarded to the City Attorney for his review. Planning Commission will hold a public hearing in August and then the ordinances will be forwarded to City Council.

City Manager Baker passed out information regarding graffiti removal. He said per the request of Council Member Chenault, we have researched other localities' ordinances with regard to the removal of graffiti from public and private property. Upon review of the material and direction, we will request the City Attorney to draft an appropriate ordinance.

At 9:10 p.m., Council Member Chenault offered a motion that Council enter a closed session for discussion and consideration of the acquisition of real estate to be used for public purposes, exempt from public meeting requirements pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended. Discussion and consideration of prospective candidates to be appointed to the Blue Ridge Community College Board of Trustees and Harrisonburg Parking Authority, evaluation of City Manager and City Clerk, exempt from the 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 Lantz, and approved with a recorded roll call vote taken as follows:

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

Absent – None

At 10:30 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 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.

At 10:31 p.m., there being no further business and on motion adopted the meeting was adjourned.

CITY CLERK

MAYOR