

REGULAR MEETING

JUNE 27, 2006

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; City Attorney Earl Q. Thumma, Jr.; 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.

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

Doris Washington, a resident of the City, said residents of Kelley Street would like to request signs displaying "Children at Play" be placed in the area. She said many vehicles are speeding and racing on Kelley Street and residents are concerned about the safety of the children playing in the area. She also suggested that speed bumps might make the area safer.

Council Member Chenault suggested that perhaps Kelley Street should be considered for the traffic-calming program.

City Attorney Thumma said according to the amended ordinance of the City Code Ms. Washington should continue collecting resident signatures on petitions and give the petitions to Transportation Planner Drew Williams at the Public Works Department to start conducting a study.

Council Member Pace offered a motion to place "Children at Play" signs on Kelley Street. The motion was seconded by Council Member Chenault and approved with a unanimous vote of Council.

Ruth Walton, said handicap parking at the library needed improvement. She said there is only one handicap parking space in the parking lot at the back of the library. A bell needs to be rung to gain access into the library. It has been suggested that an alternative to this problem is placing a handicap parking space for library customers in the Hardesty Higgins House parking lot.

Council Member Chenault said access to the library seems to be inaccessible for handicap and special needs people; however, the City has no control over the library. He said this situation was discussed at the last Council meeting. City Manager Baker and his staff are looking into the possibility of securing some handicap parking spaces for the library in the Hardesty Higgins House parking lot. We are trying to do everything that we can because everybody should be able to use the library.

Nancy Garber said she has been in the downtown area for 50 years. "We are not uncaring people and ten years ago we worked hard to get more parking for the handicapped in the downtown area."

Council Member Chenault offered a motion to approve the consent agenda, including approval of the minutes and the second reading of supplemental appropriations for the Police Department, Fire Department and CDBG, rezoning request from Ferguson Investments and Virginia Manor, LLD. The motion also included amending and re-enacting Section 4-2-10, 4-1-27, 10-6-7, 4-2-17 and motor vehicle license fees (decals) 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
Vice-Mayor Eagle
Council Member Chenault
Council Member Lantz
Mayor Rogers

Absent – None

Council Member Chenault offered the following motion, “I move to approve the sale of 19 acres, more or less, to the Visitors of James Madison University and 8.5 acres, more or less, to James Madison University real estate foundation including as stated in the original motion to allow the City Manager to take whatever action necessary to ensure that the conveyances are made along with the additional authority to negotiate financial terms with the Visitors of James Madison University to accommodate any state budget constraints that might be placed upon them until all the monies are available from that and also include in the motion the request that James Madison University make all efforts to ensure that the athletic facilities and social facilities are available to the citizens of Harrisonburg on a basis that is convenient to their uses of the facility.” The motion was seconded by Vice-Mayor Eagle, and approved with a recorded roll call vote taken as follows:

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

Abstained – Mayor Rogers

Absent – None

The next agenda item was a request from Cliff Davis for funding for a handicapped hunters project in the George Washington National Forest. Mr. Davis said that the project consists of an additional .91 miles of road reconstruction for the Hogpen Run Road Disabled Hunter Access area. He requested \$3,500 in additional funds for the project and noted that Rockingham County has committed \$3,500 toward the project. Following further discussion and comments, 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
Vice-Mayor Eagle
Council Member Chenault
Council Member Lantz
Mayor Rogers

Absent – None

Assistant Economic Developer Director Jim Barnes gave a brief overview of the “*Preserve America*” designation. He said that “*Preserve America*” is a designation from the Advisory Council on Historic Preservation. This designation recognizes cities across the United States for their excellence in preserving their culture and history. Last month the Advisory Council on Historic Preservation Honorary Chair, Mrs. Laura Bush awarded a Preserve America Designation to the City of Harrisonburg. This designation places Harrisonburg in a different category to receive additional funding and will fit in very well with the efforts by Harrisonburg Downtown Renaissance to promote historical preservation. Mr. Barnes presented the first sign that has been given to Harrisonburg as a “*Preserve America City*”.

The next item of business was a presentation by Harrisonburg Downtown Renaissance. Eddie Bumbaugh, Executive Director of Harrisonburg Renaissance, updated the progress and accomplishments for HDR. He mentioned that an article appears in the Virginia Main Street Monitor regarding the move of the Smith House. The building will be occupied July 1, 2006. Cumulative statistics collected by Virginia Main Street Monitor over 21 years shows that Harrisonburg (statistics collected for two years) compares quite favorably in the number of volunteer hours and the category of private-investment for completed projects. The Organization Committee focused on increasing revenue from the private sector and held a funding raising event, “Renaissance Night”, on May 13th at Dave’s Downtown Taverna. A slogan has been selected titled “Experience Downtown”. HDR has assisted with or taken the lead with “Fridays on the Square” events. The Court Day Festival was held on June 3rd and had a larger attendance than last year. HDR is assisting the Arts Council on events for the Valley 4th, which includes window decorating contests, parade, music concerts and fireworks. He briefly reviewed changes in the “Cruise In” event in August. HDR is working with the Arts Council and other organizations for a Museum and Gallery Walk, an event that retailers really like. A lot of people and organizations deserve a lot of credit including the City for working on the Blacks Run Bridge project. The Economic Development Committee awarded grants, which includes detailed work around the windows of the Quilt Museum, expanded eating area at Klines Dairy Bar, new signs at Daily Grind, and an improved facade at Shenandoah Bicycle Company. HDR has been working with the Farmers’ Market arranging for entertainment on Saturdays during the summer. Parking downtown is enforced from 7:00 a.m. to 7:00 p.m. six days per week. Spikes also have been installed in the Water Street parking deck to control pigeons roosting.

Council Member Pace offered a motion to approve a September 2nd block party on Court Square from 12:00 to 5:00 p.m., and closing streets in the downtown area from 10:00 to 6:00 p.m. for the event. The motion was seconded by Council Member Chenault, and approved with a unanimous vote of Council.

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

**Local and Regional Water Supply Planning
FY 2007 Grant Application**

Whereas the Virginia General Assembly has mandated the development of water supply plans throughout the Commonwealth and the State Water Control Board has developed regulations to implement this planning process, and

Whereas, based upon these regulations, The City of Harrisonburg is required to complete a water supply plan that fulfills the regulations by November 2, 2011, and

Whereas the Virginia Department of Environmental Quality has announced the availability of grant funds to assist localities offset some of the costs related to the development of these plans and are encouraging localities to submit applications for grant funds using regional water supply plans, and

Whereas, regional water supply planning is a sensible approach to developing a water supply plan since watershed boundaries do not follow political boundaries and since there will likely be cost savings to all jurisdictions participating, and

Whereas, for purposes of this DEQ water supply grant fund program. The City of Harrisonburg will participate within a water supply region consisting of Rockingham County, the seven towns within Rockingham County, and the City of Waynesboro, and

Whereas, this resolution does not bind each locality within the region as to how the final water supply plan is submitted to DEQ under 9 VAC 25-780, Local and Regional Water Supply Planning, and

Whereas, the Central Shenandoah Planning District Commission (CSPDC) has previously managed the development of successful regional plans and is a logical entity to organize and manage a regional water supply planning process, and

Whereas, CSPDC desires to participate in a regional water supply plan and desires to secure DEQ grant funds to help offset the cost of the plan development.

Now, therefore be it resolved that The City of Harrisonburg authorizes CSPDC to develop an application for water supply planning grant funds and to develop a regional water supply plan that will meet mandated regulations, and

It is resolved that William H. Strider, Executive Director of CSPDC, is authorized to sign the DEQ grant contract and other appropriate documents related to the source water planning grant and the regional source water supply plan, and

It is further resolved that The City of Harrisonburg intends to provide up to \$17,000 in matching funds for the project.

Approved: June 27, 2006

CITY MANAGER

ATTEST:

CLERK OF THE COUNCIL

Vice-Mayor Eagle offered a motion to adopt the resolution. The motion was seconded by Council Member Lantz, and approved with a unanimous vote of Council.

Council Member Chenault offered a motion to reserve \$500,000 of the General Fund's unappropriated balance as a reserve for automobile self-insurance. The motion was seconded by Council Member Lantz and approved with a recorded roll call vote taken as follows:

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

Absent – None

City Manager Baker presented a transfer request for the Municipal Building Complex Renovations. He said these funds will be used for the renovations. Vice-Mayor Eagle offered a motion to transfer these funds, and that:

\$ 6,000.00 chge. to: 1000-340121-41010 Salaries & Wages-Reg
10,813.00 chge. to: 1000-340121-41050 Annual Leave-Separation
10,201.00 chge. to: 1000-340121-41051 Sick Leave Separation
15,000.00 chge. to: 1000-340121-41020 PT Salaries & Wages-Reg
5,000.00 chge. to: 1000-340121-42010 FICA
1,500.00 chge. to: 1000-340121-42020 Retirement-VRS
5,000.00 chge. to: 1000-340121-42050 Hospital Insurance
6,500.00 chge. to: 1000-410121-41010 Salaries & Wages-Reg
3,000.00 chge. to: 1000-410121-41020 Salaries & Wages-O/T
2,000.00 chge. to: 1000-410121-41030 PT Salaries & Wages-Reg.
700.00 chge. to: 1000-410121-41050 Annual Leave-Separation
3,500.00 chge. to: 1000-410121-42010 FICA
1,400.00 chge. to: 1000-410121-42020 Retirement-VRS
5,000.00 chge. to: 1000-410121-43100 Professional Services
17,000.00 chge. to: 1000-430221-48282 Land

7,000.00 chge. to: 1000-810121-41030 PT Salaries & Wages-Regular
500.00 chge. to: 1000-810121-42010 FICA
1,000.00 chge. to: 1000-810121-43100 Professional Services
2,000.00 chge. to: 1000-810121-45530 Training & Travel
1,200.00 chge. to: 1000-810121-46140 Other Operating Supplies
1,400.00 chge. to: 1000-810121-48171 EDP Equipment
300.00 chge. to: 1000-810121-48221 Furniture

\$106,014.00 approp. to: 1000-910141-48698 Municipal Building Complex

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

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

Absent – None

City Manager Baker presented a request to transfer project budget funds. He said these funds will be used for the Public Safety Facility and Garbers Church Road improvements at the new high school. Council Member Chenault offered a motion to approve this request, and that:

\$120,777.93 chge. to: 1310-910141-48610 Two Way Communication System

\$112,906.42 approp. to: 1310-910141-48606 Public Safety Facility

7,869.51 approp. to: 1310-910141-48695 Garber's Church Road Imp/HS

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

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

Absent – None

The next item of business was a request for a street closing for Valley 4th. City Manager Baker said that a parade and musical performance will be held as part of the Valley 4th event. The request is also for the additional street closing in the Court Square area for the evening performances and finale. The area to be closed for the parade, which will begin at 5:00 p.m., will be from Campbell Street to the county administration building. Closing will take place no

later than 4:00 p.m. to accommodate the 5:00 p.m. parade. 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 Manager Baker presented a certified receipt of 2006 primary government election results provided by the Electoral Board.

Harrisonburg City Council

Larry M. Rogers	1232
J. Ted Byrd	1856
Dorn W. Peterson	1764
Carolyn W. Frank	1877

Harrisonburg School Board

Violet L. Allain	1660
Thomas C. "Tom" Mendez	1937
Sallie M. Strickler	2355
Timothy J. Lacey	1995

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.

Ralph Gettes complained about the terrible condition of the bricks on the sidewalks around Court Square.

Council Member Chenault said that part of the streetscape program under review will be an examination of the sidewalks.

Council Member Pace announced that the communities of Harrisonburg/Rockingham County placed third in the nation in the 'Steppin Out' walking challenge.

Mayor Roger said that it has been a great opportunity and an awarding experience serving on City Council for the past 12 years.

Council Member Lantz thanked all the citizens, City Council Members and City staff for 12 years of a positive learning experience.

At 8:40 p.m., Council Member Chenault offered a motion that Council enter a closed session for discussion and consideration of personnel and prospective candidates to be appointed to the Harrisonburg Parking Authority and Industrial Development Authority, exempt from the public meeting requirements pursuant to Section 2.2-3711(A)(1) of the Code of Virginia. The motion was seconded by Council Member Lantz, and approved with a recorded roll call vote taken as follows:

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

Absent – None

At 9:00 p.m., the closed session ended and the regular session reconvened. City Clerk Ryan read 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 9:05 p.m., there being no further business and on motion adopted the meeting was adjourned.

CITY CLERK

MAYOR