

REGULAR MEETING

OCTOBER 24, 2006

At a regular meeting of Council held this evening at 7:00 p.m., there were present: Mayor Rodney Eagle; City Manager Roger Baker; Assistant City Manager Kurt Hodgen; City Attorney Earl Q. Thumma, Jr.; Vice-Mayor George W. Pace; Council Members Charles R. Chenault; Council Member Carolyn W. Frank, and Ted Byrd; City Clerk Yvonne “Bonnie” Ryan, MMC, and Chief of Police Donald Harper.

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

Bucky Berry, a resident of Harrisonburg, reported that a pit bull dog had attacked him and asked Council to establish strict laws concerning these dangerous dogs.

Ralph Gettes complained about computerized voting equipment.

Vice-Mayor Pace offered a motion to approve the consent agenda, including approval of the minutes and second reading of several supplemental appropriations for the Police Department. The motion was seconded by Council Member Byrd, and approved with roll call vote taken as follows:

Vote: Yes - Vice-Mayor Pace  
Council Member Chenault  
Council Member Byrd  
Council Member Frank  
Mayor Eagle

Absent – None

A scheduled public hearing to consider a rezoning request from John Serell was withdrawn.

City Attorney Thumma presented for Council’s consideration an ordinance enacting Section 1-1-14 and amending and re-enacting Section 17-1-3 of the Harrisonburg City Code. He said adoptions of these proposed ordinances will change the City Council and School Board elections from May to November. The first November General Election will be November 4, 2008 for the three incumbent City Council Members whose terms expire on June 30, 2008. The next November general election shall be November 2, 2010 for the two incumbent City Council Members whose terms expire on June 30, 2010. Adopting these two ordinances will make it necessary to enact a separate section to change the organizational meeting from July 1<sup>st</sup> until January 2<sup>nd</sup>.

At 7:08 p.m., Mayor Eagle closed the regular session temporarily and called the evening public hearing to order. The following notice appeared in the Daily News-Record on Friday, October 13, and Friday, October 20, 2006.

**NOTICE OF PUBLIC HEARING ON THE  
MOVING OF CITY COUNCIL AND CITY SCHOOL BOARD ELECTIONS  
FROM MAY TO THE NOVEMBER GENERAL ELECTION**

**The Harrisonburg City Council will hold a public hearing on October 24, 2006 at 7:00 P.M. in the City Council Chambers located in the Municipal Building, 345 South Main Street, Harrisonburg, Virginia, concerning moving the City Council and City School Board elections from May to the November general election.**

**Copies of the proposed ordinances moving the elections from May to November are available in the City Manager's Office, 345 South Main Street, Harrisonburg, Virginia, Monday through Friday, 8:00 A.M. to 5:00 P. M.**

**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 this public hearing shall notify the City Manager at least five (5) days prior to the time of the hearing.**

**CITY OF HARRISONBURG  
Roger D. Baker  
City Manager**

Mayor Eagle called anyone desiring to speak for or against enacting, amending and re-enacting these ordinances. There being no one desiring to be heard, the public hearing was declared closed at 7:09 p.m., and the regular session reconvened.

The following discussion by Council Members included: Low voter turnout in May and hopefully changing the date to November should increase voter participation. Holding one election instead of two could save a small amount of money. It will prevent newly elected officials from inheriting budgets approved by previous Councils. Council prefers and encourages higher voter participation. Vice-Mayor Pace offered a motion to adopt these ordinances for a first reading. The motion was seconded by Council Member Byrd, and approved with roll call vote taken as follows:

Vote: Yes - Vice-Mayor Pace  
Council Member Chenault  
Council Member Byrd  
Council Member Frank  
Mayor Eagle

Absent – None

The next item of business was an update on the City-County Emergency Communications System. Jim Junkins, Director of the Emergency Communications Center, reiterated the project goals, which includes enhancing the coverage area, adding performance/features, improving reliability, and creating interoperability. He said the project highlights to date include site acquisition completed, system administration training completed, factory testing completed, radio infrastructure staged, FCC re-banding negotiations completed, excavation completed at five sites, towers erected at four sites, and shelters placed at five sites. Work in process includes radio equipment installation at Elkton, Kaylor Hill, Tower Street, Stone Spring, Massanutten Peak excavation/tower/shelter, and Shank Hill excavation/tower. He reviewed finalizing the talk group structure and mobile/portable unit court accessories. The talk group structure will consist of approximately 196 channels. He reviewed the upcoming milestones and the radio project schedule.

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

**WHEREAS, the SAFETEA-LU legislature authorizes federal funding to be made available to the states for project programs and project implementation to provide Safe Routes to Schools; and**

**WHEREAS, the health and safety of our children is of highest concern to the citizens of Harrisonburg; and**

**WHEREAS, being able to walk or bike to school along safe routes to schools offers an opportunity to build healthful physical activity into daily routine and arrive at school ready to learn; and**

**WHEREAS, Safe Routes To Schools requires the formation of multi-disciplinary teams in each community to increase awareness of support for schools and students; and**

**WHEREAS, Safe Routes to Schools can contribute to a positive connection between schools and neighborhoods by creating beneficial interactions between children and adults; now**

**THEREFORE, BE IT RESOLVED, the Harrisonburg City Council hereby endorses the Safe Routes to Schools Program with support from their state and local partners, and that all schools be encouraged to participate in Safe Routes to School initiatives, gaining the benefits mentioned above and strengthening the quality of life for City of Harrisonburg students.**

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Mayor, Rodney Eagle

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ATTEST, Yvonne Ryan, MMC City Clerk

Transportation Superintendent Drew Williams said the department is working towards completing a Safe Routes to Schools grant program and project application. Funding is made available to this program through the Federal SAFETEA-LU Act and this specific grant requires no local match. He said that phase one of the project will focus on providing sidewalks on the South Avenue corridor from South Main Street to South High Street. He also reviewed other areas of the project. Council Member Byrd offered a motion to approve this resolution. The motion was seconded by Council Member Chenault, and approved with a unanimous vote of Council.

Vice-Mayor Pace offered a motion to recommend Earl A. Budd (for a one year term), L. Quinn Kaylor (for a two-year term), and Robert L. Hansbrough (for a three year term) to the Circuit Court for appointment to the Board of Equalization. The motion was seconded by Council Member Chenault, and approved with roll call vote taken as follows:

Vote: Yes - Vice-Mayor Pace  
Council Member Chenault  
Council Member Byrd  
Council Member Frank  
Mayor Eagle

Absent – None

Parks and Recreation Director Foerster presented a request from the Parks and Recreation Department, Rockingham County Parks and Recreation Department and the Downtown Merchants Association to hold the annual Christmas parade. He explained that these groups are sponsoring the annual Christmas parade to be held on Friday, December 1<sup>st</sup> at 7:00 p.m. The parade will begin at the monument at the intersection of South Main Street and Liberty Street and end at the corner of Gay Street and North Main Street at the Rockingham County Administrative Complex. Streets should be closed at 6:00 p.m., and re-opened after the parade or approximately 8:30 p.m. Council Member Chenault offered a motion to approve this request. The motion was seconded by Council Member Frank, and approved with a unanimous vote of Council.

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. He said that these funds were reimbursed from Rockingham County through a state weed and seed grant for the gang task force. Vice-Mayor Pace offered a motion to approve this request for a first reading, and that:

\$1,613.58 chge. to: 1000-32211 State weed and seed

\$ 607.20 approp. to: 1000-310131-41020 Salaries/wages overtime

1006.38 approp. to: 1000-310531-41020 Salaries/wages overtime

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

Vote: Yes - Vice-Mayor Pace  
Council Member Chenault  
Council Member Byrd  
Council Member Frank  
Mayor Eagle

Absent – None

City Manager Baker announced that Firefighter Tom Moffett has been appointed by Virginia Governor Tim Kaine to serve on the Virginia Fire Services Board.

Vice-Mayor Pace noted that in August the US Housing Department of Housing and Urban Development's Audit Team reviewed and determined that the City handled the Community Development Block Grant funds appropriately. Their conclusion was an "absent of any findings". He commended Kim Alexander and City staff for having a no findings audit.

Vice-Mayor Pace encouraged everyone to vote on November 7th.

Council thanked Transportation Superintendent Drew Williams for making improvements to traffic problems during his years of service with the City.

Mayor Eagle acknowledged that a nice gift had been received from the Roberta Webb Child Chare Center thanking City Council for their support.

At 7:56 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 Harrisonburg Redevelopment and Housing Authority, exempt from the public meeting requirements pursuant to Section 2.2-3711(A)(1) of the Code of Virginia. Discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating within the City, exempt from public meeting requirements pursuant to Section 2.2-3711(A)(5) of the Code of Virginia. 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. The motion was seconded by Council Member Byrd, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Frank  
Vice-Mayor Pace  
Council Member Chenault  
Council Member Byrd  
Mayor Eagle

Absent – None

At 8:50 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 8:52 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