

REGULAR MEETING

JANUARY 23, 2007

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; 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.

Members from the cast of "Oliver" presented a brief performance of a musical to be held at the Harrisonburg High School Auditorium February 15-18, 2007.

Charles Vessels said that he was a homeless person who had made some bad decisions and is now living on the street. Homeless people need help and medical care and sometimes circumstances are not as they appear.

Kent Smith said help is needed for homeless people because Harrisonburg does have a homeless problem.

Katie Koons announced that the Boys and Girls Club are planning a screening of a documentary called Invisible Children THE ROUGH CUT on February 12th at 5:00 p.m. at the Boys and Girls Club located in the Lucy F. Simms Educational Center. She said the event is planned to help the children of Northern Uganda. During the last four years an estimated 500 children have attended school because of the efforts of Invisible Children, Inc., which is dedicated to helping children affected by the war by telling their untold stories in a creative and relevant way.

Abby Fitzgiven said in conjunction with the screening, there will be a silent auction of an original painting by art students from James Madison University. All proceeds will be used by Invisible Children, Inc. to help the children of Northern Uganda.

Council Member Byrd offered a motion to approve the consent agenda, including approval of the minutes and the second reading of a supplemental appropriation for the Police Department and increasing the 2006-2007 budget. The motion also included an ordinance closing a 2,650 square foot portion of Heatwole Road and enacting Article K of Title 4, chapter 4 of the Harrisonburg City Code. The motion was seconded by Council Member Chenault, and approved with a recorded 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 a public hearing to consider adopting the City's Design and Construction Standards Manual.

At 7:22 p.m., Mayor Eagle closed the regular session temporarily and called the evening's public hearing to order. The following notice appeared in the Daily News-Record on Friday, January 12, 2007.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a public hearing on Tuesday, January 23, 2007 in the Municipal Building City Council Chamber, 345 South Main Street, to consider updates to the City's Design and Construction Standards Manual.

This manual sets policies and standards for installation of public City facilities such as streets, sidewalks, water, sewer, storm sewer, traffic signals, and other traffic controls, etc. as well as development requirements for private facilities such as erosion and sediment control and stormwater management. Both the currently adopted manual and draft document are available on the City website at www.ci.harrisonburg.va.us, or at the Department of Planning and Community Development, 409 S. Main Street, Mon. through Fri. 8:00 a.m. to 5:00 p.m. All persons interested will have an opportunity to express their views at this hearing. Individuals requiring auxiliary aids, including signers, in connection with the public hearing shall notify the City Council Clerk at 432-7701 at least five days prior to the date of the meeting.

Mayor Eagle called on anyone desiring to speak for or against adopting the City's Design and Construction Standards Manual.

Council Member Chenault offered a motion to continue the public hearing for 30 days until the February 27th City Council meeting to allow more time for citizens to review the document. The motion was seconded by Vice-Mayor Pace, and approved with a unanimous vote of Council.

The public hearing was closed at 7:23 p.m.

The next item of business was a brief update of the Simms Building project including the fund raising progress of the ARC and Boys and Girls Club. Michael Wong, Executive Director, Harrisonburg Redevelopment and Housing Authority, said that the Lucy F. Simms Center renovation project began in the fall of 2001. The community educational center includes the Boys and Girls Club, Arc/Op Shop, Arts and Educational venues classrooms and meeting rooms, as well as historical significance recognition and a memorial to Lucy Simms. He said that funding for the renovation occurred through a \$5.5 million tax exempt bond issued by the City to be partially offset by a \$1.5 million contribution from the Boys and Girls Club, \$500,000 contribution by the Arc/Op Shop and \$300,000 historical tax credits contribution. Mr. Wong reviewed the financial procedure including historical tax credit funds, borrowed bridge loan, and

a edge loan, which is a grant helping the City to reduce the interest rate to 2.5% for the non-profits. In exchange for the capital contributions for non-profits, long-term lease agreements were provided and building operating expenses are paid for through the City. Final payment for the borrowed \$2.7 million bridge loan is due January 2008.

Heather Denman, Executive Director of the Harrisonburg Rockingham Boys and Girls Club, reviewed a campaign projection for the club's fund raising activity for capital campaign. She invited Council to the Boys and Girls Clubs' official capital fundraising kickoff event at the at the Simms facility on January 31 at 5:00 p.m. She said that the club has approximately \$750,000 in projected pledges.

Mary Ellen Chewning, Executive Director of the Arc of Harrisonburg Rockingham, reviewed a campaign projection for the group. The Arc currently has \$210,000 in the bank and anticipates by January 2008 it will have half of the \$500,000 commitment fund.

Michael Wong reviewed several financial options for the Simms Building project.

Following further discussion and comments, Council agreed to proceed with the loan as is at the current interest rate until December 2007. Council agreed to revisit the issue in October.

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. He said that these funds were received from Federal asset seizure money and will be used to purchase forensic equipment. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$8,797.00 chge. to: 1000-31010 Amount from fund balance

\$8,797.00 approp. to: 1000-310131-48211 Machinery and equipment

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

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

Absent – None

Park and Recreation Director Foerster presented a request from the Parks and Recreation Department. He said these funds were donated by Waterman Elementary School PTA. The funds are intended to reimburse the department for the asphalt paving on the Morrison Park/Waterman School Track/Multipurpose Field project. Council Member Chenault offered a motion to approve this request for a first reading, and that:

\$10,000 chge. to: 1000-31914 Recovered cost

\$10,000 approp. to: 1000-710171-48181 Buildings and grounds

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

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

Absent – None

Park and Recreation Director Foerster presented a request to transfer funds within the Parks and Recreation Department. He said these funds will be transferred from the Westover Pool operating budget to Westover Pool Filter Room Renovation Capital Projects budget. Council Member Byrd offered a motion to approve transferring these funds, and that:

\$14,000.00 chge. to: 1000-710771-41010 Salaries and wages
16,000.00 chge. to: 1000-710771-41030 PT salaries and wages
3,500.00 chge. to: 1000-710771-43700 Contracted services
3,000.00 chge. to: 1000-710771-45110 Electricity
44,000.00 chge. to: 1000-710771-45120 Heating
2,000.00 chge. to: 1000-710771-45130 Water and Sewer
24,000.00 chge. to: 1000-710771-48211 Machinery and equipment

\$106,500.00 approp. to: 1310-910141-48702 Swimming Pool Renovations

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

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

Absent – None

Park and Recreation Director Foerster presented a request from the Parks and Recreation Department. He said these funds will be used to cover unanticipated additional costs for renovation of the filter room at Westover Pool. Council Member Chenault offered a motion to approve this request for a first reading, and that:

\$200,000.00 chge. to: 1310-34210 Transfer from General Fund

\$200,000.00 approp. to 1310-910141-48702 Swimming Pool Renovations

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

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

Absent – None

Bucky Berry, a resident of Harrisonburg, complained about snow removal.

Council Member Chenault proposed that the City establish an equipment account in the amount of \$100,000 per year for the Rescue Squad. These funds would be used to assist the Rescue Squad in purchasing units on a regular replacement basis. The City will manage the fund and hold the title of the vehicle. Following a meeting with Rescue Squad members and City staff an appropriation funding request will be presented at a future Council meeting.

City Manager Baker said that City employees did a great job of snow removal.

At 8:21 p.m., Council Member Chenault offered a motion that Council enter a closed session for discussion concerning the expansion of an existing business or industry where no previous announcements has been made of the business' interest in expanding its facilities within the City, exempt from the 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 - Vice-Mayor Pace
Council Member Chenault
Council Member Byrd
Council Member Frank
Mayor Eagle

Absent – None

At 9:01 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 9:20 p.m., there being no further business and on motion adopted the meeting was adjourned.

CITY CLERK

MAYOR