

REGULAR MEETING

June 26, 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.; Council Members Charles R. Chenault; Carolyn W. Frank, and Ted Byrd; City Clerk Yvonne "Bonnie" Ryan, MMC, and Chief of Police Donald Harper. Absent: Vice-Mayor George W. Pace.

Council Member Byrd gave the invocation and Mayor Eagle led everyone in the Pledge of Allegiance.

Bucky Berry, a resident of Harrisonburg, said more money should be provided for the Fire Department.

Fred Hutchins, representing Senator Jim Webb, stated that Senator Webb looks forward to working with the local government to promote natural, historical, and cultural resources in the Harrisonburg area. Hutchins also stated that Senator Webb hopes significant improvements can be made during the next six years in transportation, education, and especially health care.

Council Member Byrd offered a motion to approve the consent agenda, including approval of the minutes, second reading of several supplemental appropriations for the Fire, Police, Tourism, and Public Works budgets; a rezoning request by Keith May and Eric Adamson; and increasing taxi rates. The motion also included referring an alley-closing request by Andrew L. Forward to the Planning Commission and an ordinance amending and re-enacting Section 7-3-81 and 7-4-1 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 - Council Member Chenault
Council Member Byrd
Council Member Frank
Mayor Eagle

Absent - Vice-Mayor Pace

Social Services Director Don Driver presented a request for a supplemental appropriation for the Harrisonburg Comprehensive Services Act to benefit children from the Harrisonburg area for Fiscal Year 2007. The Comprehensive Services Act was created in 1993 to bring together funding and activities for children that are placed out of their homes. Every year it is a challenge because of the program's unpredictability. This program continues to serve only mandated children and families from Harrisonburg. Council Member Chenault offered a motion to approve this request for a first reading, and that:

\$269,210.00 chge. to: 1000-31010 Amount from fund balance
\$269,210.00 approp. to: 1000-910511-47071 Expenditures of Social Services District

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

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

Absent - Vice-Mayor Pace

City Manager Baker presented a transfer request to complete several referenced capital projects. Council Member Chenault offered a motion to approve transferring these funds as presented, and that:

\$3,074.83 chge. to: 1310-910141-48606 Public Safety Building
9,418.24 chge. to: 1310-910141-48691 Simms Building Renovation
120,398.46 chge. to: 1311-910114-48690 Repairs to Elementary Schools
73,138.88 chge. to: 1321-910161-48623 Reservoir Covers
1,150.00 chge. to: 1321-910161-48632 Emergency Power Supply

\$ 12,493.07 approp. to: 1310-910141-48698 Municipal Building Renovation
120,398.46 approp. to: 1311-910114-48709 Renovation of One Court Square
74,288.88 approp. to: 1321-910161-48654-Eastern Source Development

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

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

Absent - Vice-Mayor Pace

City Manager Baker presented a request to transfer funds into a capital project fund for continued renovation to the Community Development Building. Council Member Chenault offered a motion to approve transferring these funds as presented, and that:

\$148,265.00 chge. to: 1000-430221-48181 Building and grounds
148,265.00 chge. to: 1310-34210 Transfer from General Fund

\$148,265.00 approp. to: 1310-910141-48710 Renovation of 409 S. Main St. building
148,265.00 approp. to: 1000-990111-49216 Transfer to capital projects

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

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

Absent - Vice-Mayor Pace

The next item of business was a presentation by Harrisonburg Downtown Renaissance. Eddie Bumbaugh, Executive Director of Harrisonburg Downtown Renaissance, updated the progress and accomplishments of HDR. He said that a live silent auction was held during “Renaissance Night”, a fund raising event, on May 12th at Dave’s Downtown Taverna. Planters were also auctioned to assist funding for streetscape improvement. An article appearing in the Virginia Main Street Monitor mentioned the efforts of Harrisonburg Downtown Renaissance to recognize the volunteer program. He thanked City Council for their support for the proposed new wayfinding signage. Walking tours were held during the spring, and tours will also be held in the fall, including a haunted downtown tour around Halloween. HDR hopes to have the Spring House decorated with white lights for the holidays in December. He reviewed several new businesses that have located to the downtown area. Within the next month, renovations will begin at the Keezell Building to create 15 condominiums. Four façade enhancement grants were awarded for improved signage in the downtown area.

Alexis Morehouse, Harrisonburg Downtown Renaissance Promotions Manager, said the Court Days Festival was held on June 2nd and had a large attendance. Fridays on the Square will alternate between movie and music nights. All movies will be shown on the East side of Court Square on a new movie screen. The Valley 4th event includes the reading of the Declaration of Independence, re-dedication of the WWI Memorial, music concerts, family fun activities, the parade, and fireworks. She requested permission for the welcome back students “Block Party in the Burg” event on Friday evening, September 7th, from 4:00 to 8:00 p.m.

Council Member Chenault offered a motion to approve this request closing the South and West sides of Court Square for the September 7th “Block Party in the Burg” event. The motion was seconded by Council Member Frank, and approved with a unanimous vote of Council Members present.

Kim Alexander, Director of Special Projects and Grants Management, presented for Council’s consideration the CDBG Consolidated Annual Performance Evaluation Report (CAPER). She said that the HUD required public hearing and citizen comment period has been satisfied, and no comments were received. Council Member Byrd offered a motion to approve the CDBG Consolidated Annual Performance Evaluation Report (CAPER). The motion was seconded by Council Member Frank, and approved with a recorded roll call vote taken as follows:

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

Absent - Vice-Mayor Pace

The next item of business was a request from the City Treasurer to charge off uncollectible personal property taxes for the year 2001 and the real estate taxes for the year 1986. City Manager Baker said the real estate taxes being written off is \$121.60 and the 2001 personal property taxes' amount is \$106,394.21. Council Member Chenault offered a motion to approve this request. The motion was seconded by Council Member Frank, and approved with a recorded roll call vote taken as follows:

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

Absent - Vice-Mayor Pace

The next item of business was a request from the City Treasurer to advertise delinquent real estates taxes for 2004/2005 and 2005/2006. The ads will be advertised in the Daily News-Record. Council Member Chenault offered a motion to approve this request. The motion was seconded by Council Member Frank, and approved with a recorded roll call vote taken as follows:

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

Absent - Vice-Mayor Pace

Council Member Chenault offered a motion to approve the Valley 4th and Spotswood Country Club fireworks displays on July 4th. The motion was seconded by Council Member Byrd, and approved with a unanimous vote of Council Members present.

Council Member Chenault offered a motion to authorize the City Manager to approve these fireworks requests pending a recommendation by the City Fire Marshall. The motion was seconded by Council Member Frank, and approved with a recorded roll call vote taken as follows:

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

Absent - Vice-Mayor Pace

Miriam Dickler, Public Information Officer, reminded everyone of an upcoming Harrisonburg Citizen Academy to be held for 12 weeks from August 30th until November 15th.

Council Member Chenault offered a motion that Council initiates an alley closing request in Newtown Cemetery to the Harrisonburg Planning Commission. Council Member Chenault offered a motion to close the alley on Council's request. The motion was seconded by Council Member Frank, and approved with a unanimous vote of Council Members present.

Council Member Chenault offered a motion to refer a request to create diagonal signal crossing at the intersection of Cantrell Avenue and Mason Street crosswalks to Donovan Branche at the Public Works Department.

Council Member Frank offered a motion that Denise A. Whitman, 417 Mt. View Drive, be appointed to a second term on the Community Services (Chapter 10) Board to expire on July 1, 2010. 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 Byrd
Council Member Frank
Mayor Eagle

Absent - Vice-Mayor Pace

At 7:50 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 Social Services Advisory Board, exempt from the public meeting requirements to Section 2.2-3711(A)(1) 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 Chenault
Council Member Byrd
Council Member Frank
Mayor Eagle

Absent - Vice-Mayor Pace

At 8:25 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: 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 Chenault offered a motion that Kurt D. Hodgen be appointed as City Manager effective July 1, 2007. The motion was seconded by Council Member Byrd, and approved with a recorded roll call vote taken as follows:

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

Absent - Vice-Mayor Pace

Council Member Chenault offered a motion that Roger D. Baker continue as City Manager Emeritus subject to his helping during the transition of the new City Manager and also being responsible for capital projects until November 1, 2007. The motion was seconded by Council Member Byrd, and approved with a recorded roll call vote taken as follows:

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

Absent - Vice-Mayor Pace

At 8:30 p.m., there being no further business and on motion adopted the meeting was adjourned.

CITY CLERK

MAYOR