

REGULAR MEETING

August 28, 2007

At a regular meeting of Council held this evening at 7:00 p.m., there were present: Mayor Rodney Eagle; 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 Police Captain Gregory.

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

Deb Fitzgerald a resident of the City, reviewed information suggesting a possible sister City relationship between Harrisonburg and Dabas, Hungary.

Council Member Chenault offered a motion to approve the consent agenda, including approval of the minutes and the second reading of several supplemental appropriations for the General and Water Capital Projects, Economic Development and Police Departments. 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 Byrd
Council Member Frank
Council Member Chenault
Mayor Eagle

Absent - None

The next item of business was holding a public hearing to consider amending the Erosion and Sedimentation Control Ordinance for the City of Harrisonburg – Chapter 4 of Title 10 of the Harrisonburg City Code. City Engineer Dan Rublee said the ordinance was first drafted in 1989 and revised in 1990. In 2003, the Department of Conservation and Recreation did a complete program evaluation of the City’s erosion and sedimentation control program. It was recommended that the City update its ordinance to the current standard at that time. Also, in 2003 the City became permitted under the VA Storm Water Management requirement as a result of the population. The biggest change in the ordinance is that violations have changed from criminal to civil penalties.

At 7:25 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 Saturday, August 18, and Friday, August 24, 2007.

**NOTICE OF PUBLIC HEARING ON AMENDING
THE EROSION AND SEDIMENTATION CONTROL
ORDINANCE FOR THE CITY OF HARRISONBURG**

The Harrisonburg City Council will hold a public hearing on August 28, 2007 at 7:00 P.M. in the City Council Chambers located at 409 South Main Street, Harrisonburg, Virginia, concerning amending the Erosion and Sedimentation Control Ordinance (Chapter 4 of Title 10 of the Harrisonburg City Code) for the City of Harrisonburg.

Copies of the proposed ordinance amending the Erosion and Sedimentation Control provisions are available in the Department of Community Development, 409 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
Kurt D. Hodgen,
City Manager**

Mayor Eagle called on anyone desiring to speak for or against amending this ordinance. There being no one desiring to be heard, the public hearing was declared closed at 7:26 p.m., and the regular session reconvened. Council Member Chenault offered a motion to approve amending this ordinance for a first reading. The motion was seconded by Council Member Frank, and approved with a recorded roll call vote taken as follows:

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

Absent - None

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

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARRISONBURG,
VIRGINIA, SETTING THE PERCENTAGE OF PERSONAL PROPERTY
TAX RELIEF FOR THE YEAR 2007**

WHEREAS, pursuant to Article J of Title 4, Chapter 2 of the Harrisonburg City Code, the City Council shall by resolution set the percentage of personal property tax relief that is anticipated to fully exhaust the Personal Property Tax Relief Act of 1998 (PPTRA) funds provided to the city by the Commonwealth of Virginia; and

WHEREAS, the percentage of personal property tax relief for the year 2007 has been determined to be forty and seven/tenths percent (40.7%);

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

That the City Council of the City of Harrisonburg, Virginia, sets the percentage of personal property tax relief for the tax year of 2007 to be forty and seven/tenths percent (40.7%), which percentage is anticipated to fully exhaust the PPTRA relief funds provided to the city by the Commonwealth of Virginia.

Approved: August 28, 2007

MAYOR

ATTEST:

CLERK OF THE COUNCIL

Commissioner of the Revenue June Hosaflook said this resolution will set the percentage of tax relief commonly known as the car tax for 2007. The car tax is a fixed amount of money set by the state. The amount will be forty and seven/tenth's percent (40.7%). Following further discussion and comments, Council Member Byrd offered a motion to adopt the resolution setting the percentage of personal property tax relief for the year 2007 at 40.7%. The motion was seconded by Council Member Frank, and approved with a recorded roll call vote taken as follows:

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

Absent - None

City Manager Hodgen presented a request for a supplemental appropriation for a Two Way Communication system. The City has received grant funds and Homeland Security funds that were not anticipated and can be used for the new radio system. Council Member Chenault offered a motion to approve this request for a first reading, and that:

\$ 50,437.50 chge. to: 1000-31010 Amount from fund balance
247,369.50 chge. to: 1310-31010 Amount from fund balance
50,437.50 chge. to: 1310-34210 Transfer from General Fund

\$ 50,437.50 approp. to: 1000-990111-49216 Transfer to General Capital Projects
297,807.00 approp. to: 1000-910141-48610 Two Way Communications System

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 Byrd
Council Member Frank
Council Member Chenault
Mayor Eagle

Absent - None

Council Member Frank offered a motion to appoint Mayor Rodney Eagle and Council Member Ted Byrd to a JMU Liaison Committee. The motion was seconded by Vice-Mayor Pace, and approved with a unanimous vote of Council.

City Manager Hodgen presented a request to develop a “Special Events Manager” position and a supplemental appropriation for the Harrisonburg Downtown Renaissance office. The Special Events Manager is responsible for planning and implementing special events for Harrisonburg, working with various City departments, and recruiting and training volunteers. Following further discussion and comments, Council Member Chenault offered a motion to approve creating the position and supplemental appropriation, and that:

\$42,000 chge. to: 1000-31010 Amount from fund balance

\$30,000 approp. to: 810621-41010 Salaries & wages – regular
2,754 approp. to: 810621-42010 FICA
2,775 approp. to: 810621-42050 Hospital Insurance
6,471 approp. to: 810621-46140 Other Operating Supplies

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 Byrd
Council Member Chenault
Mayor Eagle

No - Council Member Frank

Absent - None

Council Member Chenault offered a motion to close a portion of Federal Street from Wolfe Street to Elizabeth Street on September 23rd for the church’s Hispanic Festival. The motion was seconded by Council Member Byrd, and approved with a unanimous vote of Council.

Council Member Byrd offered a motion that Erica Martin, 620 Keezletown Road be appointed to the Social Services Advisory Board to expire on July 1, 2011. 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 Byrd
Council Member Frank
Council Member Chenault
Mayor Eagle

Absent - None

Council Member Byrd offered a motion that Anne Elizabeth Leake Frazier, 216 Divot Drive, be appointed to the Social Services Advisory 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 – Vice-Mayor Pace
Council Member Byrd
Council Member Frank
Council Member Chenault
Mayor Eagle

Absent - None

At 8:06 p.m., there being no further business and on motion adopted the meeting was adjourned.

CITY CLERK

MAYOR