

## REGULAR MEETING

March 25, 2008

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 Chief Harper.

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

Vice-Mayor Pace offered a motion to approve the consent agenda, including approval of the minutes and rezoning requests for W. Paul Thompson and E, F, & L Development. The motion also included repealing Section 3-5-3, amending Title 11, Chapter 7, Signs, and Section 9-6-8 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 Frank  
Council Member Byrd  
Council Member Chenault  
Vice-Mayor Pace  
Mayor Eagle

Absent – None

The next item of business was a request for exemption from local property taxation for several City businesses. Commissioner of the Revenue June Hosaflook presented an overview of 501(c) organizations applying for real estate and business personal property tax exemption. A committee including the City Treasurer, the Commissioner of Revenue, and the Finance Director examine the applications and make a recommendation to City Council. Current applications include Big Brothers Big Sisters, Minnick Education Center, Shenandoah Spay & Neuter Clinic, and Gemeinschaft Home. Big Brothers Big Sisters pairs children in one-to-one relationships with carefully screened, caring adult mentors and is applying for exemption from real estate tax in the amount of \$1,439.62. The Minnick Education Center provides educational and counseling services for at-risk and emotionally disturbed children and adolescents from local public school systems and communities that have not been successful in the public school setting. They are applying for exemption from real estate tax in the amount of \$4,652.15. The Shenandoah Valley Spay & Neuter Clinic has a mission of ending the euthanasia of healthy, behaviorally sound cats and dogs in the Shenandoah Valley area and is applying for exemption from real estate tax in the amount \$1,466.15. The clinic is also applying for exemption from business personal property tax in the amount of \$1,082.00. The Gemeinschaft Home provides a substance abuse treatment program and is applying for exemption from real estate tax for two properties. The first property site is located at 1360 Mt. Clinton Pike and the tax levied on this property is \$1,398.86. The second property site is located at 1001 Chicago Avenue and the tax levied on this property is \$1,355.82. Gemeinschaft is also applying for exemption from business personal property tax in

the amount of \$330.00. The committee recommended that Big Brothers Big Sisters, Minnick Education Center, Shenandoah Spay & Neuter Clinic, and Gemeinschaft Home be exempt from real estate taxes and that the Shenandoah Spay & Neuter Clinic and Gemeinschaft Home be exempt from business personal property taxes.

At 7:12 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 Monday, March 17, 2008.

**CITY OF HARRISONBURG  
NOTICE OF PUBLIC HEARING**

**Please take notice that on March 25, 2008 at 7:00 P.M. in the City Council Chamber, 409 South Main Street, Harrisonburg, Virginia, the Harrisonburg City Council will conduct a public hearing, pursuant to Section 4-2-17 of the Harrisonburg City Code, as amended, concerning the following four (4) requests by non-profit corporations for exemption from local real estate and personal property taxation:**

**(1) Big Brothers Big Sisters, 225 North High Street, Harrisonburg, VA 22802. The assessed value of all property (Tax Map No. 35-N-2) owned by Big Brothers Big Sisters in the City of Harrisonburg for the year 2007 was \$270,000.00 and the taxes assessed by the City for the year 2007 were \$1,439.62; for the year 2006, \$677.04; and for the year 2005 – N/A.**

**(2) Minnick Education Center, 770 Massanutten Street, Harrisonburg, VA 22802. The assessed value of all property (Tax Map Nos. 40-N-13 thru 21 and 40-N-42 & 42A) for the year 2007 was \$793,100.00 and the taxes assessed by the City for the year 2007 were \$4,652.15 and for the years 2006 and 2005 – N/A.**

**(3) Shenandoah Valley Spay & Neuter Clinic, 910 North Liberty Street, Harrisonburg, VA 22802. The assessed value of all property (Tax Map No. 40-B-45) for the year 2007 was \$248,500.00 and the taxes assessed by the City for the year 2007 were \$1,466.25; for the year 2006, \$1,466.25 and for the year 2005, \$841.93. The assessed value of all personal property for the year 2007 was \$54,100.00, and the taxes assessed by the City for the year 2007 were \$1,082.00; for the year 2006, \$1,851.00; for the year 2005 – N/A.**

**(4) Gemeinschaft Home, 1423 Mt. Clinton Pike, Harrisonburg, VA 22802. The assessed value of all property (Tax Map No. 48-D-19A and 48-A-12) for the year 2007 was \$506,500.00 and the taxes assessed by the City for the year 2007 was \$2,754.68; for the year 2006 was \$2,168.76; and for the year 2005 – N/A. The assessed value of all personal property for the year 2007 was \$16,500, and the taxes assessed by the City for the year 2007 was \$330.00; for the year 2006 – N/A; for the year 2005 – N/A**

**Public comments on the proposed exemptions are invited, and all citizens shall have an opportunity to be heard. Further information is available from the Commissioner of**

**the Revenue Office at 345 South Main Street, Harrisonburg, Virginia between the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday.**

**Kurt D. Hodgen,  
City Manager**

Mayor Eagle called on anyone desiring to speak for or against these tax exemptions.

Gary Wilburn speaking on behalf of the Minnick Education Center said all of the services are being funded through the Comprehensive Services Act with referrals from the public school system.

Jennie Amison, Executive Director of Gemeinschaft Home, said Gemeinschaft Home is a 501(C) non-profit organization and is recognized nationally.

Cate Mansfield representing the Shenandoah Spay & Neuter Clinic said spay and neuter programs are proactive and the most effective way to end companion over population.

Mary Rotherham, Director of Operations for Big Brothers Big Sisters, said the agency hopes in 2008 to serve more youth than any year before.

Bucky Berry encouraged Council to support these organizations. There being no others desiring to be heard, the public hearing was declared closed at 7:20 p.m., and the regular session reconvened.

Vice-Mayor Pace offered a motion to approve real estate tax exemption for Big Brothers Big Sisters, Minnick Education Center, Shenandoah Spay & Neuter Clinic, and Gemeinschaft Home, and that the Shenandoah Spay & Neuter Clinic and Gemeinschaft Home be exempt from business personal property taxes. The motion was seconded by Council Member Chenault and approved with a recorded roll call vote taken as follows:

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

Absent – None

Dr. Donald Ford, Superintendent of Harrisonburg City Schools, presented the School Board's proposed 2008-2009 budget. He reviewed projected revenues from state funding, Federal funding, and local funds. The budget is based on projected daily membership of 4,378 in 2008-2009. This number is used for projecting revenue. The overall budget is \$60,281,222. The budget proposal shows an increase in the local appropriation next year in the amount of \$3,312,921. Dr. Ford reviewed the 2007-08 approved expenditures in terms of function at \$53,763,220 and the proposed expenditures at \$60,281,222 with a change from the approved to the proposed at \$6,518,002 or 12.12%. The difference from the actual amended budget during the year is \$54,596,116 to \$60,481,222 with a change at \$5,686,106 or 10.41%. The revenue estimates for the school division to support the expenditures are divided into state, federal, other, local and un-appropriated. The budget includes a projected average 3% increase for current salaries and a 5% health insurance rate increase for the 2008-2009 fiscal year. The number of

new positions and other increased expenditures included in the budget are directly related to the opening of the two new schools for next year.

Dr. James Perkins, President of Blue Ridge Community College, presented an overview of the progress Blue Ridge Community College is making in serving the needs of the City of Harrisonburg. Board members Kathy Whitten and Denise Dawson were also present. Dr. Perkins reviewed a chart and graph, which provided information regarding the four selected measures of activity for Harrisonburg residents at Blue Ridge Community College (BRCC) for the three-year period from the fall 2005 through fall 2007. A shuttle service provides additional access to residents of the City to the campus. New initiatives at BRCC include a new fine arts center, campus commons, a technology building, additional parking lots, a new maintenance building, and a new bookstore.

Phil Hearne, Director of Massanutten Regional Library, gave a brief overview of the Library programs, issues and events. Massanutten Regional Library (MRL) is the largest and most active public library between northern Virginia and Roanoke. Its nine branches, each unique to its town, serve the area well. MRL offers basic public library services including a good collection of items to borrow, access to the Internet, on-line research, kids' and adults' programs and meeting space, reference and referral, exceptional local history and genealogical research, and a quiet sanctuary. The MRL has a collection of more than 187,000 unique titles, 305,000 total items, more than 40,000 active borrowers, is open 325 hours weekly, and has a budget of \$2 million. The MRL provides information, or the methods to find it, that people need for everyday living.

The next item of business was a request for Harrisonburg Downtown Stream Walk Project. John Reeves, President of Friends of Blacks Run Greenway (FBRG), announced that a ribbon cutting ceremony will be held on April 5<sup>th</sup> at the new Liberty Park Bridge, and a Downtown Blacks Run Clean-up Day will be held on April 12<sup>th</sup>. Ross Bair said the downtown walking path is primarily on Main Street and Liberty Street. The objectives are to create a pedestrian path for exercise and transportation through downtown Harrisonburg which encourages the healthy enjoyment of businesses, restaurants, pocket parks, and green spaces in downtown Harrisonburg. The downtown Stream Walk would be designated by approximately 93 three inch diameter bronze medallions imbedded in the curb along the walking route. In addition to the bronze markers, there will be four educational signs. These signs will be 'lectern' style just like the civil war trails informative signs. They will be located on the North East corner of Court Square, on the North West end of the loop, at the pocket park at the Water Street parking deck, and at Liberty Park. The educational content of the signs will pertain to storm water runoff in an urban setting, stream restoration and native plants, animals you may see in the stream, and Harrisonburg history and the stream. Mr. Bair requested approval of the plan as a whole, for the Public Works Department to accept the maintenance responsibility of the bronze medallions for the life of the stream walk, and for the Parks and Recreation Department to accept the responsibility of the upkeep on the signage for the walk. Council Member Chenault offered a motion to approve the maintenance of the project as presented. The motion was seconded by Council Member Frank and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Frank

Council Member Byrd  
Council Member Chenault  
Vice-Mayor Pace  
Mayor Eagle

Absent – None

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. He said that these funds were received from the Division of Motor Vehicles for purchasing equipment and overtime for officers. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$14,484.21 chge. to: 1000-33524 Federal DMV grant

\$ 8,574.00 approp. to: 1000-310231-48111 Machinery and Equipment

267.50 approp. to: 1000-310631-45530 Training and Travel

3,079.96 approp. to: 1000-310231-41020 Salaries/wages OT

2,562.75 approp. to: 1000-310631-41020 Salaries/wages OT

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

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

Absent – None

Council Member Chenault offered a motion that R. Bradley Chewning, 1832 College Avenue, be appointed to a first term on the Industrial Development Authority to expire on April 24, 2012. The motion was seconded by Council Member Frank and approved with a recorded roll call vote taken as follows:

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

Absent – None

At 9:00 p.m., Council Member Chenault offered a motion that Council enter into a closed session for discussion and consideration of personnel and prospective candidates to be appointed to boards and commissions, exempt from the public meeting requirements pursuant to Section

2.2-3711(A)(1) of the Code of Virginia, and 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 Frank and approved with a recorded roll call vote taken as follows:

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

Absent – None

At 9:59 p.m., the closed session ended and the regular session reconvened. City Attorney Thumma 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 requirement 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 10:00 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

cc: City Council  
City Manager  
Public Library