

REGULAR MEETING

May 27, 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 Chief of Police Donald Harper.

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

Samantha Jo Earman and Candice Baker received a “Saved by the Belt” award as part of the “Click It or Ticket It” program. It was noted that these young ladies lives were saved because they were wearing their seat belt prior to being involved in an accident.

The Harrisonburg Elks Lodge presented a “Citizenship Award” to Master Police Officer Greg Deeds for his distinguished service to the community.

A special invitation was issued by re-enactors (Mayor Isaac Hardesty “1850’s” and Mrs. Hardesty) to everyone to attend the Court Days Festival on Saturday, June 7, 2008.

Vice-Mayor Pace requested that Item 5b on the consent agenda be removed and considered as a separate item.

Council Member Chenault offered a motion to approve the consent agenda, including approval of the minutes and the second reading of appropriations for the Public Works Department, Fire Department, and Police Department. The motion also included a rezoning request from Radha Krushna LLC, closing an alley between East Market Street and East Water Street, and amending and re-enacting Sections 7-4-22 and 7-4-23 of the Harrisonburg City Code. The motion was seconded by Council Member Byrd 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

City Attorney Thumma presented for Council’s consideration an ordinance to grant a license to place a fire escape on the public right-of-way located between Main Street and Federal Street. Mr. Thumma said the applicants, Rocktown Development Group, LLC (Pennybackers Restaurant), want to install a fire escape to serve the second floor of the restaurant, located at 14 East Waster Street, in the pedestrian alley located between Main Street and Federal Street along

the rear of the building. Council Member Byrd offered a motion to approve an ordinance granting a license to place a fire escape on the public right-of-way. 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

Commissioner of the Revenue June Hosaflook presented for Council's consideration amending and re-enacting Section 4-2-23, 4-2-25, and 4-2-124 of the Harrisonburg City Code. Ms. Hosaflook reviewed the proposed changes in these ordinances, which will provide tax relief for the elderly. Vice-Mayor Pace offered a motion to approve these ordinances as presented 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 - Council Member Frank
Council Member Byrd
Council Member Chenault
Vice-Mayor Pace
Mayor Eagle

Absent – None

City Manager Hodgen presented a request for a supplemental appropriation for Comprehensive Services Act costs. Mr. Hodgen said services mandated for children and families in the City have exceeded budgeted amounts. Charlotte McNulty, Chair of the Community Policy and Management Team (CPMT), gave a brief overview of the costs associated in providing mandated services for these children. Following further discussion and comments, Vice-Mayor Pace offered a motion to approve this request for a first reading, and that:

\$704,658.00 chge. to: 1000-31010 Amount from Fund Balance

\$704,658.00 approp. to: 1000-910511-47071 Expenditures of Social Services District

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

Vice-Mayor Pace offered a motion to approve the second reading of a supplemental appropriation to transfer part of the funds received from the sale of the Port Republic Road land to the General Capital Projects Fund for the Public Works Department. This money will be used to fund the retaining wall at Noll and Gay Street. 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

Parks and Recreation Director Lee Foerster presented a request for a supplemental appropriation for the Parks and Recreation Department. These funds will reimburse the Parks and Recreation budget for donations received to help cover expenses incurred for the African-American Festival on May 10, 2008. Vice-Mayor Pace offered a motion to approve this request for a first reading, and that:

\$5,750 chge. to: 1000-31809 Donations

\$5,750 approp. to: 1000-710171-45803 Festivals

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

Parks and Recreation Director Lee Foerster presented a request to transfer funds for the Parks and Recreation Department. This request is to transfer funds allocated for the Hillandale Comfort Station project, which was funded by CDBG funding to the “Dream Come True Playground” Capital Projects fund. Also, the second request is to transfer funds allocated to the Westover Pool Capital Outlay budget to the Swimming Pool Renovation Capital Projects fund. Council Member Chenault offered a motion to approve this transfer, and that:

\$110,000.00 chge. to: 1000-710271-48181 Buildings and Grounds
110,000.00 chge. to: 1321-34210 Transfer from General Fund

\$110,000.00 approp. to: 1310-910141-48699 Peach Grove Park
110,000.00 approp. to: 1000-990111-49216 Transfer to Capital Projects

\$96,500.00 chge. to: 1000-710771-48184 Improvements
96,500.00 chge. to: 1310-34210 Transfer from General Fund

\$96,500.00 approp. to: 1310-910141-48702 Swimming Pool Renovations
96,500.00 approp. to: 1000-990111-49216 Transfer to Capital Projects

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

Fire Chief Shifflett presented a request for a supplemental appropriation for the Fire Department. This request is to recover funds received from the “Four for Life” program, Hazmat response reimbursements, Child Safety Seat program, and other donations and recovered costs. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$28,867.96 chge. to: 1000-31930 Reimb for Safety Seat Tech
25,384.99 chge. to: 1000-32514 Four for Life
1,948.97 chge. to: 1000-32501 Reimb for Hazmat Response
13,643.20 chge. to: 1000-31809 Donations
40.00 chge. to: 1000-31812 Donations
13,017.44 chge. to: 1000-31914 Recovered Costs

\$25,384.99 approp. to: 1000-350532-46155 Four for Life
57,517.57 approp. to: 1000-320232-41020 Overtime

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 Frank
Council Member Byrd
Council Member Chenault
Mayor Eagle

Absent – None

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. These funds were received from Rockingham County through the 2005 COPS METH Grant for investigators overtime. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$3,374.29 chge. to: 1000-33555 2005 Cops Meth. Grant

\$3,374.29 approp. to: 1000-310331-41020 Salaries/Wages OT

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 Frank
Council Member Byrd
Council Member Chenault
Mayor Eagle

Absent – None

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. These funds were received through a Division of Motor Vehicles Grant for overtime and training/travel for officers. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$3,663.02 chge. to: 1000-33524 DMV grant

\$3,332.48 approp. to: 1000-310231-41020 Salaries/wages OT
330.54 approp. to: 1000-310631-45530 Training/travel

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 Frank
Council Member Byrd
Council Member Chenault
Mayor Eagle

Absent – None

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. These funds were received through a law enforcement block grant to purchase

equipment for the Police Department. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$15,000.00 chge. to: 1000-33509 Law Enforcement Block Grant

\$15,000.00 approp. to: 1000-310331-48211 Machinery and equipment

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 Frank
Council Member Byrd
Council Member Chenault
Mayor Eagle

Absent – None

Council Member Byrd offered a motion to approve a request from the Catholic Church to close Federal Street from Elizabeth Street to Wolfe Street on Sunday, June 8th for an event. The motion was seconded by Council Member Frank and approved with a unanimous vote of Council.

Council Member Chenault offered a motion that Ron Ross, 2193 Deyerle Avenue, be appointed to a term on the Social Services Advisory Board to expire on July 1, 2012. The motion was seconded by Vice-Mayor Pace and approved with a recorded vote taken as follows:

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

Absent – None

At 8:10 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR

