

REGULAR MEETING

February 24, 2009

At a regular meeting held this evening at 7:00 p.m., there were present: Mayor Kai Degner; City Manager Kurt Hodgen; Assistant City Manager Evan Vass; City Attorney Earl Q. Thumma, Jr.; Vice-Mayor Richard A. Baugh; Council Members David Wiens, Carolyn W. Frank, and Ted Byrd; City Clerk Yvonne “Bonnie” Ryan, MMC; and Chief of Police Donald Harper.

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

Bucky Berry announced that members of the Boys and Girls Club and the Rockingham County Sheriff’s Department will be removing graffiti from the Roses Department building on March 14th.

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. The motion also included amending and re-enacting Section 14-1-65, 10-3-24, 10-3-47, 10-3-58, 10-3-39, 10-3-41, 10-3-48, 10-3-53, 10-3-56, 10-3-57, 10-3-179, and 10-3-181 of the Harrisonburg City Code. 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 Wiens
Council Member Byrd
Vice-Mayor Baugh
Mayor Degner

Absent – None

Dr. James Perkins, President of Blue Ridge Community College, gave a brief 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 2006 through fall 2008. BRCC is facing a budget reduction, a tuition increase, and a larger enrollment. New initiatives at BRCC include a new technology building and a developmental education program for high school students.

Don Driver, Director of Social Services, gave a brief overview on the impact of the economic downturn on the operations of the Harrisonburg-Rockingham Social Services District. The department has seen an increase in general applications, food stamps and fuel assistance. Staff members are spending more time assisting these applicants in completing their applications. Mr. Driver reviewed eligibility procedures for the public assistance programs.

School Board Finance and Technology Director, Dee Dee Dawson, presented a request for a supplement appropriation for the School Board. Ms. Dawson said that these funds represent unanticipated receipts from state and federal sources. No additional City dollars are required for the school division to receive these funds. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$148,420.00 chge. to: 1111-33301 School Revenue – Federal
55,687.00 chge. to: 1111-32442 School Revenue – State

\$161,670.00 approp. to: 1111-111114-40610 Instruction
42,437.00 approp. to: 1111-111114-40650 School Food Service

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

Vote: Yes - Council Member Frank
Council Member Wiens
Council Member Byrd
Vice-Mayor Baugh
Mayor Degner

Absent – None

Council Member Frank offered a motion to approve a request from the Harrisonburg Education Foundation (HEF) to close certain streets for the “Sherry B. Anderson 5K Walk/Run” event on April 25, 2009, to benefit the foundation and honor the memory of Sherry Anderson. 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 Wiens
Council Member Byrd
Vice-Mayor Baugh
Mayor Degner

Absent – None

Planning and Community Development Director Turner presented a request to amend the City Sign Ordinance. Mrs. Turner explained that when the sign regulations were created for the recently adopted R-5 zoning classification, the regulations were designed for residential use and did not reflect the commercial aspect. Mrs. Turner reviewed the new special sign regulations for the R-5, High Density Residential District to be inserted into Section 11-7-12. The definition of a “monument sign” will be added to Section 11-7-2; the language “and medium density” will be added to Section 11-7-4 under R-3. R-5 high density residential district language will be removed from Section 11-7-4; Section 11-7-12 shall be maintained in its entirety except that it shall be renumbered as Section 11-7-13. Planning Commission recommended approval of these

sign ordinance amendments. Council Member Wiens offered a motion to approve this request 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 Wiens
Council Member Byrd
Vice-Mayor Baugh
Mayor Degner

Absent – None

Utilities Billing Manager Sherri Barb presented a request to charge off delinquent utility bills incurred through December 2007. These accounts are currently with the collection agency, which will still be pursued. Council Member Byrd offered a motion to write off the list of 281 delinquent accounts for a total value of \$38,185.79. 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 Wiens
Council Member Byrd
Vice-Mayor Baugh
Mayor Degner

Absent – None

The next item of business was a staff report on the PPEA proposals for a parking structure and School Board administrative offices. Economic Development Director Brian Shull said that the City has received three proposals to construct a parking deck structure and administrative space for the Harrisonburg School Board to be located on the City-owned lot directly behind the Public Safety Building. The task force is comprised of City staff from the following departments: City Manager's Office, Fire Department, Police Department, Emergency Communications, Public Works, Community Development, and Economic Development. Mr. Shull said that the task force unanimously recommended to proceed to Phase II design with all three proposals. This step does not obligate the City to expend any funds for construction of this project. Council Member Frank offered a motion authorizing staff to request all three PPEA development teams to proceed to Phase II Detailed Design for the parking structure and School Board administrative offices proposal. The motion was seconded by Vice-Mayor Baugh and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Frank
Council Member Wiens
Council Member Byrd
Vice-Mayor Baugh
Mayor Degner

Absent – None

The next item of business was considering amendments to the City's financial policies. Finance Director Lester Seal said the City's financial policies provide administrative guidance to the management of the City relative to financing and debt, budgeting, fund balances and governmental oversight. These policies are periodically reviewed and updated. Mr. Seal reviewed the recommended changes in the policy. Council Member Byrd offered a motion to accept these amendments to the City's financial policies. 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 Wiens
Council Member Byrd
Vice-Mayor Baugh
Mayor Degner

Absent – None

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. These funds were reimbursed by Rockingham County for overtime worked for the Cops Meth. Grant. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$3,472.61 chge. to: 1000-33555 Cops Meth. Grant 2005

\$3,472.61 approp. to: 1000-310531-41020 Salaries/wages OT

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 Wiens
Council Member Byrd
Vice-Mayor Baugh
Mayor Degner

Absent – None

Council, by a unanimous voice vote, requested that the Taxi Task Force Committee provide a proposed taxi rate recommendation to coincide with the adoption of the annual budget, effective July 1, 2009.

Council Member Byrd offered a motion to implement the Forest Management Plan for the Dry River/Switzer Dam area to protect and manage the watershed as presented at the January 27, 2009, Council meeting. Determining recreational uses for the property will be analyzed as a

separate plan. 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 Wiens
Council Member Byrd
Vice-Mayor Baugh
Mayor Degner

Absent – None

At 8:50 p.m., Council Member Frank offered a motion that Council enter into a closed session for consultation with legal counsel requiring the provisions of legal advice of such legal counsel, exempt from public meeting requirements pursuant to Section 2.2-3711(A)(7) of the Code of Virginia. 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 Wiens
Council Member Byrd
Vice-Mayor Baugh
Mayor Degner

Absent – None

At 9:00 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 9:01 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR