

REGULAR MEETING

November 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.

Fred Eberly, Rockingham County Board of Supervisors Chairman, presented Mayor Kai Degner with a turkey, which was won in a friendly wager on the Harrisonburg High School/ Turner Ashby High School playoff football game. The turkey was donated to the Salvation Army.

Art contest student winners for “Fire Prevention Week” were displayed in Council Chambers.

It was announced that Harrisonburg received the “2009 Governor’s EMS Award” for outstanding contributions to emergencies medical services for children and the “Outstanding Lead Organization/Harrisonburg Fire Department for Safe Kids” for November 2009.

Heather Justice and her children received a “Saved by the Belt” award. It was noted that this young family’s lives were saved because Ms. Justice was wearing her seat belt and had her children properly restrained in car seats prior to being involved in an accident.

Several awards were presented to Police Chief Harper for his distinguished service to the community.

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 Public Works Department. The motion also included enacting Article L of Chapter 2 of Title 4, repealing Section 5-2-40, and amending Section 10-2-41(k) 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

Besty Hay, United Way Executive Director, and Tracy Jones of the United Way presented an overview of the United Way's acknowledgements and overall goals.

The next item of business was a report on a Storm Grate inquiry. City Manager Hodgen said that a group of bicycle enthusiasts presented some storm grate issues at the November 10th Council meeting. Mr. Hodgen reviewed the cost estimate to repair and retrofit the identified storm grates, whether the repairs and retrofits would unintentionally have any detrimental effects on drainage or to the roadway, and whether or not the City existing storm drain grates violate any state or federal regulations. Five priority storm grates costing approximately \$2,200 have been identified and will be repaired and retrofitted. The City will begin working on the five priority storm grates and it should take about eight weeks to complete the project.

Vice-Mayor Baugh offered a motion to cancel the December 22nd Council meeting. 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

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. These funds were received from Byrne Memorial Justice Assistance Grant and will be used to purchase in-car computers for police vehicles. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$ 50,000.00 chge. to: 1000-31010 Amount from Fund Balance
150,000.00 chge. to: 1000-33550 Criminal History Record Program

\$ 96,000.00 approp. to: 1000-310431-48273 Software
104,000.00 approp. to: 1000-310431-48273 Hardware

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

At 7:58 p.m., Council Member Byrd offered a motion that Council enter into a closed session for discussion concerning a prospective business where no previous announcement has been made of the business' interest in expanding its facilities within the City, exempt from the public meeting requirements pursuant to Section 2.2-3711(A)(5) of the Code of Virginia. Discussion and consideration of the disposition of publicly held real estate, 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 Wiens
Council Member Byrd
Vice-Mayor Baugh
Mayor Degner

Absent – None

At 8:53 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 8:53 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR