

## REGULAR MEETING

June 8, 2010

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; Vice-Mayor Richard A. Baugh; Council Members David Wiens, and Carolyn W. Frank; City Clerk Yvonne "Bonnie" Ryan, MMC; and Chief of Police Donald Harper. Absent: Council Member Ted Byrd and City Attorney Earl Q. Thumma, Jr.

Vice-Mayor Baugh gave the invocation, and Mayor Degner led everyone in the Pledge of Allegiance.

Sandra Quigg said that she lives on Franklin Street in Old Town. Dangerous traffic conditions exist in the Old Town neighborhood and the immediate establishment of traffic calming measures is needed on Franklin and Ott Streets. Residents are also asking that the City create and activate a comprehensive traffic-calming plan for the entire Old Town Neighborhood. Old Town cannot accommodate the current use of its streets by automobiles that regularly drive through at dangerous speeds. "Our streets have become by-passes to the main roads." Visibility at intersections is poor. Due to a serious collision this past week-end at the intersection of Ott and Franklin Street a woman had to be hospitalized with life-threatening injuries and the driver was jailed. Old town is a residential, walking, biking neighborhood built in the early 1900's with sidewalks and street parking. Bruce Street, no wider than an alleyway and a backyard too many homes, is a veritable drag way. Myers and Mt. View are host to our local elementary school to which our children try to walk and bike. Mason Street is host to many JMU students, Old Town residents, cyclists, and many cars. "Most accidents we have seen involve cars passing through the neighborhood and, thankfully, have not involved our children." The Department of Public Works requires 75% of household signatures from a predetermined zone to begin to explore project-specific solutions for Franklin and Ott. The residents have accomplished this task and now would like for the City to take immediate action to solve a potentially lethal situation on the corner of Franklin and Ott. A small tree was trimmed on Monday revealing a stop sign but, something more substantial and more permanent is required in order to slow traffic. We need to fix the potentially deadly Ott-Franklin intersection now, and then we need the City's traffic experts to provide us with a comprehensive neighborhood plan to make Old Town the safe pedestrian neighborhood it is meant to be.

Mike Haines said perhaps posting additional signs identifying the area as a school area and children at play would be helpful.

Heather Griscom said that Franklin Street does have one speed sign, but also a four-way stop sign would be helpful. Residents are also concerned about the length of process of implementing traffic calming measures.

Laurie Wilmerwright said her children cannot play in the backyard because it is beside Bruce Street and has a lot of traffic. A traffic calming study was conducted on Bruce Street, but

it didn't meet the qualifications of the study. Limiting truck traffic on Bruce Street and making it one-way would be helpful.

Mayor Degner said that some infrastructure improvements of the traffic calming solutions are expedited by the community sharing in the cost of the installation.

Quiet T. Please said that Harrisonburg needs a bus service. He also spoke against the design of the bike path on Chicago Avenue.

Bronson Griscom, said safety and traffic measures need to be taken on several streets in the Old Town neighborhood. There is a need for a physical component in addition to signage to slow cars down on the streets. Many people are using the neighborhood as a cut through street.

Bucky Berry said that the graffiti spray-painted on City buses, property, and City businesses should have been removed immediately. He believes the City also has a major gang problem.

Council Member Wiens offered a motion to approve the consent agenda, including approval of the minutes and the second reading of supplemental appropriations for the Parks and Recreation Department, Police Department, and Public Utilities Department. 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  
Vice-Mayor Baugh  
Mayor Degner

Absent – Council Member Byrd

Planning and Community Development Director Turner presented for Council's consideration amending Section 10-3-84 and 10-3-109 of the Zoning Ordinance. Mrs. Turner reviewed the changes in these sections, which contain grammatical corrections and typo errors. Planning Commission has recommended approval of these changes to the zoning ordinance.

At 7:34 p.m., Mayor Degner closed the regular session temporarily and called the evening's first public hearing to order. The following notice appeared in the Daily News-Record Monday, May 24, and Tuesday, June 1, 2010.

### **NOTICE OF PUBLIC HEARING**

**The Harrisonburg City Council will hold several public hearings on Tuesday, June 8, 2010 at 7:00 p.m., in the City Council Chambers, 409 South Main Street to consider the following:**

***Ordinance Amendment – Zoning Ordinance Amendments Section 10-3-84 and 10-3-109***

**Public hearing to consider a request to amend Sections 10-3-84 and 10-3-109 for corrections to the Zoning Ordinance.**

**Maps and other information are available for review in the Community Development Department, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m.**

**All persons interested will have an opportunity to express their views at these public hearings. Any individual requiring auxiliary aids, including signers, in connection with the public hearing shall notify the City Manager at least (5) five days prior to the date of the meeting.**

**CITY OF HARRISONBURG  
Kurt D. Hodgen  
City Manager**

Mayor Degner called on anyone desiring to speak for or against amending the Zoning Ordinance. There being no one desiring to be heard, the public hearing was declared closed at 7:35 p.m., and the regular session reconvened. Vice-Mayor Baugh offered a motion to approve amending these ordinances as presented. 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  
Vice-Mayor Baugh  
Mayor Degner

Absent – Council Member Byrd

The applicant requested that a public hearing scheduled to consider a rezoning request and special use permit request be continued until the June 22 Council meeting and the public hearing is continued until June 22.

Mayor Degner presented a resolution authorizing the issuance and sale of General Obligation Bonds Public Improvement Bonds, Series 2010A and General Obligation Public Improvement Refunding Bonds.

Ted Cole of Davenport and Company, the City's financial advisor, presented an overview of a resolution. The proceeds of this bond issued will be used to finance road construction of Stone Spring Road/Erickson Avenue, Phase 2. In addition, the City has determined that the debt service costs could be lowered by issuing general obligation public improvement refunding bonds. Mr. Cole briefly reviewed prior bonds, interest rate market and a timetable regarding issuing the bonds. Vice-Mayor Baugh reported that the Finance Committee has recommended approval. Vice-Mayor Baugh offered a motion to approve the resolution as presented. 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  
Vice-Mayor Baugh  
Mayor Degner

Absent – Council Member Byrd

Public Utilities Director Collins presented for Council’s consideration amending and re-enacting sections of the City Code for the Public Utilities Department. Mr. Collins presented a brief overview of the schedule of rates and changes, language changes, consolidated fees, and penalties. These annual step increases in water and sewer utility rates will become effective July 1, 2010. Council Member Wiens offered a motion to approve amending and re-enacting these ordinances as presented. 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  
Vice-Mayor Baugh  
Mayor Degner

Absent – Council Member Byrd

Council Member Frank offered a motion to approve a request from Harrisonburg Downtown Renaissance for Valley 4<sup>th</sup> on Saturday, July 3, 2010. The streets will be closed from 10:00 a.m. until 11:30 p.m., and the parade will begin at 5:00 p.m. 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  
Vice-Mayor Baugh  
Mayor Degner

Absent – Council Member Byrd

At 7:58 p.m., Council Member Byrd joined the City Council meeting.

The next item of business was a presentation of the Downtown Master Streetscape Plan Concept. Public Works Director Baker said the goal for the Downtown Master Streetscape Plan is to present a unified vision for the downtown area that synthesizes all pertinent past and working documents into a single plan.

Assistant Public Works Director Williams said the City has been faced with many challenges over the last few years. The objective is to present a unified vision for the downtown area, by helping all utilities, refuse storage and collection, public transportation accommodations, pedestrian and bicycle infrastructure and routing. Without a “master” planning document, we are implementing alterations in a piecemeal fashion and are unable to clearly communicate an expectation regarding what our overall downtown plan is. Mr. Williams reviewed the elements

of the Plan. The Study area is defined as Kratzer Road to the North, Cantrell Avenue to the South, Mason Street to the East, and High Street to the West. Also, the significant corridors leading into the downtown area will be reviewed. It is recommended that the Downtown Master Streetscape Plan Committee include City staff, Public Works, Community Development, Economic Development, downtown community citizens, and a Council Member. Project completion dates will not be defined, but it is hoped that this plan can be used as a tool for budget preparation, CIP process, and marketing opportunities in the downtown area. There is no funding for the second phase of the Downtown Master Streetscape Plan; however, having a planning document in place will expedite the process once funding is available. City Manager Hodgen said that it would be helpful to have Council's interest in proceeding with plans. Having plans in place also makes grant funding a little more accessible.

City Manager Hodgen presented for Council consideration's amending and re-enacting Chapter 4 of Title 13 of the City Code (Traffic Safety Commission). This item is the result of recent Council discussions relative to a request to establish a new Bicycle Advisory Commission. It was recommended at that time that rather than creating a new commission, that the existing Traffic Safety Commission be re-formatted and charged with additional advisory responsibilities for bicycle and transportation infrastructure issues. The ordinance amendment will change the name of the committee to the Harrisonburg Transportation Safety and Advisory Commission and incorporates bicycle and pedestrian charges to their duties and responsibilities. The name change is recommended for approval. Following further discussion and comments, Council Member Byrd offered a motion to approve this ordinance for a first reading 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 Wiens  
Vice-Mayor Baugh  
Mayor Degner

Absent - None

The next item of business was a report on the Virginia Retirement System (VRS) changes. City Manager Hodgen said that this past year the General Assembly adopted new legislation, which allows as of July 1, 2010, localities to charge any new employees up to full 5% of the employees' share of the contribution to the VRS system. This does not apply to existing employees or anybody that the City may hire in the future that is already in a VRS covered position. Staff is communicating with other localities to get a sense of what they may recommend to their governing bodies. This is an issue that could create "competitiveness concerns" relative to recruitment.

City Manager Hodgen presented a request for a supplemental appropriation for the Public Works Department. He said these funds were received from participants in the rain barrel workshop in April 2010 to reimburse the citywide drainage program for expenditures. Council Member Wiens offered a motion to approve this request for a first reading, and that:

\$1,560.00 chge. to: 1310-31914 Recovered costs

\$1,560.00 approp. to: 1310-910141-48616 Citywide drainage program

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 Wiens  
Vice-Mayor Baugh  
Mayor Degner

Absent - None

At 8:36 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