

REGULAR MEETING

September 28, 2010

At a regular meeting held this evening at 7:00 p.m., there were present: Mayor Kai Degner; City Manager Kurt Hodgen; 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. Absent: Assistant City Manager Anne C. Lewis.

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

Kim Sandum – Presented a four page document with information about the U.S. Forest on the George Washington National Forest. The U.S. Forest Service Plan is being revised and on October 5, 2010 they will reveal their draft and there will be opportunities for public comment. Ms. Sandum is hoping that the City of Harrisonburg will make comments specifically about hydraulic fracturing and express concern particularly towards our water supply.

Council Member Byrd offered a motion to approve the consent agenda, including approval of the minutes and the second reading of the appropriations that were received when the \$43,270,000 bond issue was completed on 8/11/10. The motion was seconded by Council Member Frank and approved with a recorded roll call vote taken as follows:

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

Absent – None

Alexis Morehouse, Senior Promotions Manager presented the Harrisonburg Downtown Renaissance (HDR) quarterly report. Statewide attention is being brought by other Main Street Communities. Other Main Street Programs are using Harrisonburg Programs as models for their own. Using the Shopping and Dining Guide and Business Resource Brochure provides notifications to businesses of support programs, promotional events, community festivals, as well as letting them know how they can support HDR in return. HDR also has started a program called Fam Tours, this is an opportunity to familiarize Front Desk Staff about all the activities, events, and food provided in Downtown. Taste of Downtown has been a successful event once again and now HDR is looking forward to the spin off program for the Retail Stores. HDR has teamed up with Shenandoah Valley Business Development Center to provide workshops and business consultations to local businesses to help in providing better customer service and provide marketing ideas.

Kris Hensley Ludwig, Special Events Manager from HDR presented upcoming events for Downtown during the Fall/Winter Season. Upcoming events include Block Party in the ‘Burg, Halloween on the Square, Veteran’s Day Parade, Holidays on Main Street, and First Night.

Ms. Ludwig requested street closures for the upcoming events of the Veteran’s Day Parade (November 7, 2010), Holiday Parade (December 3, 2010), and First Night (December 31, 2010). Council Member Byrd offered a motion to approve the street closures that were requested. The motion was seconded by Vice-Mayor Baugh and approved with a unanimous voice vote.

Mayor Degner presented to Council for consideration of authorizing the City Manager to enter into agreement with the low bidder, A&J Excavating for “East Market Street Sidewalk Phase II” project. City Manager Hodgen stated that Public Works applied for a Highway Safety Improvement Fund grant through VDOT and was awarded a grant in the amount of \$166,122. This is a federally funded grant which requires a 10% locality match. The total locality match required is \$18,458. Community Development developed the project documents and plans. The project consists of a 10-ft. wide sidewalk with 5-ft. utility strip and a bus pad (for bus shelter by Public Transit). A pre-bid meeting was held at the Public Works Department on Wednesday September 15, 2010 at 10:00 a.m. and bids were opened at the same location on Wednesday, September 22, 2010 at 10:00 a.m. Council Member Byrd offered a motion for the City Manager to enter into an agreement with A&J Excavating for the “East Market Street Sidewalk Phase II” project. The motion was seconded by Council Member Wiens and approved with a recorded roll call vote taken as follows:

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

Absent – None

City Manager Hodgen presented a request for supplemental appropriations for General Fund, Water Fund, and Transportation Fund. Vice-Mayor Baugh offered a motion to approve this request for the first reading, and that:

\$419.27 chge. to: 1000-31828 VML Safety Grant
\$3080.74 chge. to: 2011-31828 VML Safety Grant
\$499.99 chge. to: 2013-31828 VML Safety Grant

\$419.27 approp. to: 1000-120511-48121 Furniture and Fixtures
\$3080.74 approp. to: 2011-332061-43100 Professional Services
\$499.99 approp. to: 2013-872081-48271 EDP Equipment

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

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

Absent – None

Colonel Donald Harper presented a request for supplemental appropriations to the Police Department budget in the amounts of \$4,522.75 and \$12,887.00. Council Member Byrd offered a motion to approve this request for the first reading, and that:

\$12,887.00 chge. to: 1000-31010 Amount from fund balance

\$12,887.00 approp. to: 1000-310331-48211 Machinery and Equipment

\$4,522.75 chge. to: 1000-33524 DMV Federal Grant

\$579.67 approp. to: 1000-310231-45530 Training/Travel

\$694.61 approp. to: 1000-310631-41020 Salaries/Wages OT

\$3,248.47 approp. to: 1000-310231-41020 Salaries/Wages OT

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

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

Absent – None

Mayor Degner brought to attention of good attendance by City Council, Police Department, Commonwealth Attorney, and other Community Leaders for NE Association Meetings. The Community is very engaged with conversation about doing practical items to reduce crime and violence.

At 7:28 p.m., Council Member Byrd offered a motion that Council enter into a closed session for discussion and consideration of the acquisition and disposition of real estate 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. Consultation with legal counsel requiring the provision 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. Discussion and consideration of personnel, exempt from the public meeting requirements pursuant to Section 2.2-3711(A)(1) of

the Code of Virginia. The motion was seconded by Vice-Mayor Baugh and approved with a recorded roll call vote taken as follows:

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

Mayor Degner presented the following resolution for Council's consideration of approval:

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARRISONBURG,
VIRGINIA, APPOINTING THE
GOLF COURSE STUDY COMMITTEE**

WHEREAS, the City Council is interested in determining if there are methods, facilities, operations or practices that might improve the financial performance of the Heritage Oaks Golf Course; and

WHEREAS, the City Council wishes to appoint a citizen committee to make recommendations on how to improve the financial performance of the Heritage Oaks Golf Course; and

WHEREAS, this citizen committee shall consider the points set forth in the attached outline and make recommendations to be considered by the City Council in the operation of the Heritage Oaks Golf Course;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA:

- 1. The following citizens are appointed to the Golf Course Study Committee (the "Committee"): Wilma Bowers, Susie Dinsmore, Donald J. Ford, Bill Jones, John Monger IV, David I. Walsh, Stephen T. Young and a non-voting ex officio member City Councilman Ted Byrd.**

2. **The Committee shall meet as soon as possible and as often as is necessary to consider the points set forth in the attached outline and make recommendations to the City Council that it determines would possibly improve the financial performance of the Heritage Oaks Golf Course.**
3. **The recommendations of the Committee shall be presented to the City Council at its regular meeting to be held on January 25, 2011.**

Approved: September 28, 2010.

MAYOR

ATTEST:

CLERK OF THE COUNCIL

Council Member Byrd offered a motion to adopt the Golf Course Study Committee Resolution. The motion was seconded by Vice-Mayor Baugh, and approved with a recorded roll call vote taken as follows:

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

Absent – None

At 9:05 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR