

REGULAR MEETING

March 8, 2011

At a regular meeting held this evening at 7:00 p.m. there were present: Mayor Richard Baugh, Vice-Mayor Ted Byrd, Council Members Kai Degner, Charles Chenault and David Wiens. Also present: City Manager Kurt Hodgen, Assistant City Manager Anne C. Lewis, City Attorney Earl Q. Thumma, Jr., City Clerk Erica Kann and Chief of Police Donald Harper. Absent: None.

Mayor Baugh gave the invocation and also led everyone in the Pledge of Allegiance.

Steve Tomasi, Event Director of DR 100, reminded council of an event that was held September 18, 2010 in honor of Dr. Miranda who was killed on Port Republic Road, and the result of the accident was not the fault of anyone, except that there just wasn't enough room on the road. Mr. Tomasi stated that several community and family members came up with the idea of a non-profit organization called DR 100. Mr. Tomasi also stated that after expenses for the event, the group raised over \$20,000.00. Mr. Tomasi presented Mayor Baugh with a check in the amount of \$6,200.00 and combined with matching funds from the city in the amount of \$5,500.00 will pay for 8,400 feet of shared road lane marks in the City of Harrisonburg to be installed and completed by the end of summer 2011. Mr. Tomasi closed with thanking council and the city for partnering with DR 100 and hopes the partnership carries into the future.

Cheryl Plank spoke representing one of the many faces of multiple sclerosis (MS). Mrs. Plank stated that she was diagnosed in 1992 and although its effects are often invisible to others, they are life changing. Mrs. Plank spoke of the many symptoms that MS has and also described the disease. Mrs. Plank stated that March 14-20, 2011 was MS Awareness Week and she came to council to bring awareness to the chronic disease. Mrs. Plank closed by thanking all those who support those in the community with MS.

Mayor Baugh thanked Mrs. Plank for bringing awareness to this disease and declared the week of March 14 – 20, 2011 as MS Awareness Week with the following proclamation:

A PROCLAMATION DECLARING MULTIPLE SCLEROSIS AWARENESS WEEK MARCH 14 – 20, 2010

WHEREAS, multiple sclerosis (MS) is a chronic, often disabling disease of the central nervous system that affects approximately 10,000 people in Virginia and 167 people in the City of Harrisonburg and the surrounding county; and

WHEREAS, most people with multiple sclerosis are diagnosed between the ages of 15 and 50 but the unpredictable physical and emotional effects can be lifelong. The progress, severity and specific symptoms of MS in any one person cannot yet be

predicted, but advances in research and treatment are giving hope to those affected by the disease; and

WHEREAS, studies show that early and ongoing treatment with an FDA-approved therapy can reduce future disease activity and improve the quality of life for many people with MS.

WHEREAS, multiple sclerosis is a disease that not only affects the person with the condition, but also greatly impacts family, friends, and the community; and

WHEREAS, the exact cause of multiple sclerosis is still unknown, and there is no known cure; and

WHEREAS, the symptoms of MS may be mild such as numbness in the limbs, or severe, such as paralysis or loss of vision; and

WHEREAS, every hour of every day, someone is newly diagnosed with multiple sclerosis; and

WHEREAS, the National Multiple Sclerosis Society envisions a world free of MS; and

WHEREAS, the Blue Ridge Chapter of the National Multiple Sclerosis Society provides programs and services to address the challenges of everyone affected by MS; and

NOW, THEREFORE, I, Richard Baugh, Mayor of City of Harrisonburg, do hereby recognize March 14 -20, 2010, as MS AWARENESS WEEK in the City of Harrisonburg, VA and I call this observance to the attention of all our citizens.

**BY: _____
Richard Baugh, Mayor**

**ATTEST: _____
Erica S. Kann, City Clerk**

Mayor Baugh also declared the month of March as Red Cross Month with the following proclamation:

A PROCLAMATION DECLARING MARCH AMERICAN RED CROSS MONTH 2011

WHEREAS, the American Red Cross fulfills a vital role in our community. It prevents and alleviates suffering in the face of disaster and is a true reflection of the humanitarian and volunteer spirit of the American people.

WHEREAS, during the month of March, the American Red Cross asks all Americans to join its movement and help carry out its lifesaving mission, with a gift of time, money or blood. The Red Cross supplies almost half of the nation's blood; teaches skills that save

lives; provides international humanitarian aid; supports military members and their families; and feeds, shelters and gives emotional support to victims of disasters.

WHEREAS, for almost 100 years, Presidents have called on the American people to support the Red Cross and its humanitarian mission. In World War I, President Woodrow Wilson ordered the Red Cross to raise funds to support emergency aid to the military. At that time, the American Red Cross set a goal of \$125 million and in less than six weeks donations totaled nearly \$146 million – a tribute to the overwhelming generosity of the American public.

WHEREAS, in 1943, during World War II, President Franklin D. Roosevelt became the first president to proclaim March as Red Cross Month and called on Americans to “rededicate themselves to the splendid aims and activities of the Red Cross.” President Roosevelt’s call to action nearly 70 years ago started a tradition of designating March as Red Cross Month, a time to recognize and support the valuable work of the American Red Cross.

WHEREAS, every day, through its 11 employees and 5 volunteers here in City of Harrisonburg, the American Red Cross is there to save the day when disaster strikes or when a neighbor’s house burns down. It is there when someone needs life-saving blood, or the comfort of a helping hand. It connects military families with their loved ones in service, and provides training in CPR, aquatics safety, and first aid. It spreads humanitarian aid and goodwill to people around the world.

WHEREAS, our community depends on the American Red Cross and because it is not a government agency, the Red Cross depends on support from the public to continue its humanitarian work. This is especially important in these challenging economic times for the Red Cross and all Americans.

NOW, THEREFORE, I, Richard Baugh, Mayor of Harrisonburg, by virtue of the authority vested in me by the Constitution and laws of the Harrisonburg of Virginia do hereby proclaim March 2011 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of March, in the year of our Lord two thousand eleven, and of the City of Harrisonburg, Virginia.

**BY: _____
Richard Baugh, Mayor**

**ATTEST: _____
Erica S. Kann, City Clerk**

James “Bucky” Berry announced on March 24, 2011 from 4:30 p.m. to 6:30 p.m., a group of kids and adults from Boys and Girls Club are to meet at Roses’ to remove gang graffiti with the help of both the Sherriff’s department and American Red Cross.

Vice-Mayor Byrd offered a motion to approve the consent agenda, including approval of the minutes of the previous meeting. The motion was seconded by Council Member Degner and approved with a recorded roll call vote taken as follows:

Yes – Mayor Baugh
Vice-Mayor Byrd
Council Member Degner
Council Member Chenault
Council Member Wiens

No – None

Stacy Turner, Planning and Community Development Director, stated that in 2007, a new R-3 Medium Density Residential Zoning classification was adopted with Section 10-3-48.6 to help make multiple family dwellings blend in with surrounding single family and duplex areas. Following amendments to this ordinance anything constructed after August 14, 2010, had to come into compliance with the new ordinance. She stated since the change in August, there had not been any projects proposed to make use of the ordinance, until recently. Mrs. Turner stated that staff came to realize some amendments needed to be made to the existing ordinance, when a new project was presented to them. She also stated that staff feels that the changes will help in future cases of the same type property that is still left in the city. Mrs. Turner would like council to consider approval of the request to change the current ordinance by amending and re-enacting Section 10-3-48.6(b) & (c) of the Harrisonburg City Code. Mrs. Turner presented the following ordinance to council for consideration:

**ORDINANCE AMENDING AND RE-ENACTING SECTION 10-3-48.6 (b) & (c)
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HARRISONBURG,
VIRGINIA:**

Section 10-3-48.6. Other Regulations.

(b) Off-street parking regulations for all buildings and uses permitted in this district are governed by article G. When an off-street parking lot containing five (5) or more spaces is to be constructed within an established single family detached or duplex neighborhood, such parking lot(s) shall not be located between principal buildings and a public street, unless the parcel has multiple public street frontages, and shall be screened from the public street(s) by principal buildings or by landscaping or walls. When an off-street parking garage containing five (5) or more spaces is to be constructed within an established single family detached or duplex neighborhood, such parking garage shall be located to the rear or side of principal buildings and screened from the public street(s) by principal buildings or by landscaping or walls. The parking garage cannot be located between principal buildings and public streets. Where such parking lots/garages abut single-family detached or duplex lots, they shall be screened from such lots by landscaping,

fences, or walls. An adequate screen shall be a minimum five-foot wide buffer area containing the following:

(c) More than one (1) principal building may be constructed upon an unsubdivided parcel of land as density allows. The open space between each building as measured at the closest point between building walls shall not be less than thirty (30) feet. The minimum separation between buildings may be superseded by building regulations. The front façade of each principal building shall face a dedicated public street or the limits of a private parking unit (as defined) and no building shall have the rear façade facing a dedicated public street, unless the parcel has multiple public street frontages where rear façades may front one (1) public street.

The remainder of Section 10-3-48.6 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the ____ day of _____, 2011.

ADOPTED and APPROVED this ____ day of _____, 2011.

MAYOR

ATTESTE:

CLERK OF COUNCIL

At 7:17 p.m., Mayor Baugh closed the regular session and called the evening's first public hearing to order. The following notice appeared in the Daily News-Record Monday, February 21, 2011 and Monday, February 28, 2011.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a public hearing on Tuesday, March 8, 2011 at 7:00 p.m., in the City Council Chambers, 409 South Main Street, Harrisonburg, Virginia, to consider the following:

Ordinance Amendment – 10-3-48.6 (b) and (c)

Public hearing to consider amending Section 10-3-48.6 (b) and (c) of the Zoning Ordinance to modify specifics related to parking lots/garages and also to amend how façades of units can be positioned on properties that have more than one principle building on a parcel.

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 five (5) days prior to the date of the meeting.

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

Mayor Baugh called on anyone desiring to speak for or against the proposed ordinance amendment. There being no one desiring to be heard, the public hearing was declared closed at 7:18 p.m., and the regular session reconvened.

Council Member Chenault offered a motion to approve the ordinance amendment as presented. The motion was seconded by Council Member Degner and approved with a recorded roll call vote taken as follows:

Yes – Mayor Baugh
Vice-Mayor Byrd
Council Member Degner
Council Member Chenault
Council Member Wiens

No – None

Stacy Turner, Planning and Community Development Director, presented a request from Doug Kline with representative Velocity Property Group to preliminarily plat, with variance requests, a lot at the corner of Foley Road and Ridgeville Lane, and for a special use permit to allow multiple family dwellings in the R-3, Medium Density Residential District. The property is located at 746 and 752 Foley Road and can be found on tax maps 84-B-20 & 21.

Mrs. Turner stated that the applicant requested to remove the dividing lot line to establish a 0.68-acre piece of property to allow for construction of a nine apartment unit. She also stated that the request is only vacating a property line. The Subdivision Ordinance defines such action as a “subdivision”, thus the applicant must fulfill all obligations as specified in that part of the City Code, and due to the shape of the lot, the applicant is requesting four variances. Staff recommended support the variance requests from Sections 10-2-41(i)(3), 10-2-45, 10-2-66, and 10-2-67.

Mrs. Turner stated that the applicant also requested a special use permit per Section 10-3-48.4 (6) to allow for the construction of multi-family units on the corner properties at the intersection of Foley Road and Ridgeville Lane. She stated that as part of the requirements for obtaining a special use permit to build multi-family units in the R-3 district, an applicant must substantiate that they have met several conditions to justify

the development. Although this development satisfies some of the conditions as described in the zoning ordinance Section 10-3-48.6(e), staff does not believe the proposed demonstrated all of the necessary characteristics that warrant its approval. Mrs. Turner stated of particular concern was subsection (3) that emphasizes the importance of the development's design is compatible with adjacent existing development. She stated staff recognizes that the objective of the applicant would be to build "contemporary," but the character of the units would be out of place in the neighborhood and would be befitting of a more urban setting. She also noted that the density of the proposed development is not compatible with the surrounding area. Mrs. Turner stated that staff does not believe it would be in the neighborhood's best interest to grant the special use permit. However, the Planning Commission passed the four variances for the preliminary plat with a 6-1 vote in favor and passed the special use permit with a 4-3 vote in favor to recommend approval.

At 7:36 p.m., Mayor Baugh closed the regular session and called the evening's second public hearing to order. The following notice appeared in the Daily News-Record Monday, February 21, 2011 and Monday, February 28, 2011.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a public hearing on Tuesday, March 8, 2011 at 7:00 p.m., in the City Council Chambers, 409 South Main Street, Harrisonburg, Virginia, to consider the following:

Special Use Permit – The Angle 10-3-48.4 (6) (Velocity Property Group)

Public hearing to consider a request from Doug Kline with representative Velocity Property Group for a special use permit per Section 10-3-48.4 (6) of the Zoning Ordinance to allow multiple family dwellings in the R-3, Medium Density Residential District. The property is located at 746 and 752 Foley Road and can be found on tax maps 84-B-20 & 21.

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 five (5) days prior to the date of the meeting.

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

Hans Harmon, Velocity Property Group, made himself available for questions. Mr. Harmon also provided his thoughts to council on why he felt his project would fit into the neighborhood contrary to staff's recommendation.

Mayor Baugh declared the public hearing closed at 7:45 p.m., and the regular session reconvened.

After short discussion, Council Member Chenault offered a motion to approve both the preliminary plat, with variance requests and the special use permit as presented. The motion was seconded by Vice-Mayor Byrd and approved with a recorded roll call vote taken as follows:

Yes – Vice-Mayor Byrd
Council Member Degner
Council Member Chenault

No – Mayor Baugh
Council Member Wiens

Thanh Dang, Public Works Planner, presented a request to council from New Community Project (NCP). NCP is a faith-based non-profit organization that focuses on environmental sustainability and global justice, and their request is to amend the City's Bicycle and Pedestrian Plan to include the concept for an additional shared use path (North End Greenway). Mrs. Dang stated that North End Greenway would generally extend from the northern section of the city's downtown to the Eastern Mennonite University/Eastern Mennonite School area, which mostly follows the path of Blacks Run. Mrs. Dang stated that NCP also proposed amendments in three different locations being the following: the bicycle facilities map, the pedestrian facilities map, and adding the North End Greenway within the "Goals to Complete within 5 years". Mrs. Dang also stated that both the Transportation Safety Advisory Commissions and Planning Commission had some recommendations for NCP to help with the success of their plan, and both commissions recommended approval of the amendment to the Bicycle and Pedestrian Plan.

At 7:58 p.m., Mayor Baugh closed the regular session and called the evening's third public hearing to order. The following notice appeared in the Daily News-Record Monday, February 21, 2011 and Monday, February 28, 2011.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a public hearing on Tuesday, March 8, 2011 at 7:00 p.m., in the City Council Chambers, 409 South Main Street, Harrisonburg, Virginia, to consider the following:

Bicycle and Pedestrian Plan

Public hearing to consider an amendment to the City of Harrisonburg's Bicycle and Pedestrian Plan. The amendment would describe and illustrate an additional bicycle and pedestrian trail.

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 five (5) days prior to the date of the meeting.

CITY OF HARRISONBURG

Kurt D. Hodgen

City Manager

Jacob Zumfelde, intern with NCP, thanked city staff for all of the hard work and for presenting the request to council.

Tom Benevento stated that he felt the plan will create a better connectivity of the north/south corridor. Mr. Benevento also stated that he felt this path would build a better neighborhood with bringing both sustainable transportation and recreation. Mr. Benevento stated that the NCP plan to pay for this path was through community supporters and grants they are researching, but the group was waiting on council's approval before they could take action. Mr. Benevento also stated that NCP has received an overwhelming number of easements throughout the proposed pathway area.

Hans Harmon, stated that he represents the largest private property owner with the project, and he is in full support of it. Mr. Harmon stated he would like council to get behind NCP and make the pedestrian and bike pathways happen.

Mayor Baugh declared the public hearing closed at 8:03 p.m., and the regular session reconvened.

Council Member Wiens offered a motion to endorse the North End Greenway project and amend the City of Harrisonburg's Bicycle and Pedestrian Plan as presented. The motion was seconded by Council Member Degner and approved with a recorded roll call vote taken as follows:

Yes – Mayor Baugh
Vice-Mayor Byrd
Council Member Degner
Council Member Chenault
Council Member Wiens

No – None

John Downey, President of Blue Ridge Community College, provided council with statistics and financial information before the meeting, and stated he had a more

personal presentation on the impact that Blue Ridge Community College has on his family. Mr. Downey's presented to council the impact that Blue Ridge Community College has both on his family and the community with the classes that the college offers. Mr. Downey also stated that not only do the classes the college offers, but the graduates from those classes most likely affect your everyday life, from taking pets to the vet to taking vehicles to the shop.

Tom Mendez, Immediate Past Chairman of the Chamber of Commerce Board of Directors, presented an update on Vision 2020. Mr. Mendez stated that even though the Chamber of Commerce provided the leadership to begin the process of Vision 2020, the initiative evolved into a community-wide process that included a variety of representatives. Mr. Mendez also stated after many meetings, Vision 2020 produced four cornerstones which are those that follow: Community Planning, Business Vitality & Entrepreneurship, World Class Education & Workforce, and Community Leadership Development. He stated that the Chamber of Commerce is looking for all towns and cities to embrace Vision 2020.

Council Member Degner offered a motion to endorse Vision 2020. The motion was seconded by Council Member Chenault. After short discussion, Council Member Degner amended his motion to allow for Planning Commission to review Vision 2020 to see if it fits into the city's comprehensive plan. The amended motion was seconded by Council Member Chenault and approved with a unanimous voice vote.

City Manager Hodgen presented an ordinance to council to permit Solar Tax Exemption as permitted under Virginia State Code §58.1-3661: Certified solar energy equipment, facilities or devices and certified recycling equipment, facilities or devices. City Manger Hodgen noted that the city is restricted by state code with what can be allowed with this particular ordinance.

Council Member Degner noted that there is an enabling legislation in the General Assembly that allows council to exempt solar equipment from paying taxes on solar equipment. Council Member Degner explained that currently if a manufacturer has solar equipment it would fall under machinery and tools tax. However, if you are a homeowner, it would be under real estate tax.

City Manager Hodgen noted that this exemption would only be granted if you ask; the city will not go out and reassess your home. However, if you ask for an exemption, the state code has guidelines on how the city must grant exemptions. City Manager Hodgen also noted that the state code does not make it currently beneficial for a homeowner to ask for an exemption.

Council Member Degner offered a motion to approve 100% exemption from taxation with 100% for the duration of the equipments life. The motion failed for lack of a second.

Council Member Wiens offered a motion to approve 100% exemption from taxation at 10 years of the equipments life. The motion was seconded by Vice-Mayor Byrd.

Council Member Chenault offered a motion to amend the previous motion to exemption from 100% taxation at 20 years of the equipments life.

Vice-Mayor Byrd stated that he felt that the city should continue to tax solar equipment as the city taxes all other manufacturing equipment businesses. Vice-Mayor Byrd also questioned, how much profit does the private entity have built into this project and why aren't they willing to sacrifice a little if they are as committed to the success of solar energy as they want the City of Harrisonburg to be? Vice-Mayor Byrd stated if we don't tax solar equipment, we shouldn't tax other business' equipment.

Council Member Degner stated that the General Assembly has legislation specific to solar equipment that gives council the option to give out exemptions on solar equipment. Council Member Degner stated that with the General Assembly making separate legislative for solar equipment, it should be considered differently.

Vice-Mayor Byrd stated the group started the solar project without exemption, and why wouldn't we consider this for other manufacturing businesses that actually produce jobs for the local area. Vice-Mayor Byrd stated that the city would be ahead economically if we treated solar equipment as machinery and tools taxation.

Also mentioned, for private property owners solar panels aren't taxed currently.

Council Member Degner stated that he is in favor of this because it will make a statement that the City of Harrisonburg encourages energy efficient technology.

Council Member Chenault stated that he looks at this item from all sustainability businesses looking to borrow money and in need of an ordinance stating 20 years exemption to obtain a loan.

Vice-Mayor Byrd stated there are other lending options, and council shouldn't try to manage a project for a private industry.

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

Yes – Mayor Baugh
Council Member Degner
Council Member Chenault
Council Member Wiens

No – Vice-Mayor Byrd

After short discussion, the following recorded roll call vote was taken as follows:

Yes – Mayor Baugh
Council Member Degner
Council Member Chenault
Council Member Wiens

No – Vice-Mayor Byrd

The following ordinance was approved with the first reading:

**ORDINANCE ENACTING SECTION 4-2-31
OF THE
HARRISONBURG CITY CODE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HARRISONBURG,
VIRGINIA:**

That Section 4-2-31 be enacted as follows:

Section 4-2-31. Exemption for properties using certified solar equipment, facilities or devices.

(a) **Effective on and after July 1, 2010, for the fiscal year beginning July 1, 2010 and ending June 30, 2011 and for each fiscal year thereafter, unless otherwise changed by the city council, certified solar equipment, facilities or devices, as defined herein, are hereby declared to be a separate class of property and shall be exempt from taxation at one hundred percent (100%) of its assessed value for the first twenty (20) years of its useful life.**

(b) **As used in this section:**

(1) **“*Certified solar equipment, facilities or devices*” means any property, including real or personal property, equipment, facilities or devices certified by the city’s building inspections division to be designed and used primarily for the purpose of providing for the collection and use of incident solar energy for water heating, space heating or cooling, or other application which would otherwise require a conventional source of energy such as petroleum products, natural gas or electricity.**

(2) **“*Local certifying authority*” means the city’s building inspections division of the city’s department of community development.**

(c) **Any person residing in the city may proceed to have solar energy equipment, facilities or devices certified as exempt from taxation by applying to the city’s building inspections division. If, after examination of such equipment, facility or device, the building inspections division determines that the unit primarily performs any of the functions set forth in sub-section (b) of this section and conforms to the requirements set by the state board of housing and community development, the building inspections division shall approve and certify such**

application. The building inspections division shall forthwith transmit to the commissioner of the revenue those applications properly approved and certified by the building inspections division as meeting all of the requirements qualifying such equipment, facility or device for the exemption from taxation. Any person aggrieved by a decision by the building inspections division may appeal such decision to the local board of building code appeals, which may affirm or reverse such decision.

(d) Upon receipt of the certificate from the city's building inspections division, the commissioner of the revenue shall proceed to determine the value of such qualifying solar energy equipment, facilities or devices. The exemption provided by this section shall be determined by applying the local tax rate to the value of such equipment, facilities or devices and subtracting such partially exempt amount, either (i) from the total real property tax due on the real property to which such equipment, facilities or devices are attached or (ii) if such, equipment, facilities, or devices are taxable as machinery and tools from the total machinery and tools due on such equipment, facilities, or devices, at the election of the taxpayer. This exemption shall be effective beginning in the next succeeding tax year after the date of approval by the commissioner of the revenue, and shall remain in effect for the nineteen (19) following tax years. In the event the qualifying equipment, facilities or devices is part of a new building subject to assessment, then the exemption shall be first effective when such real estate is first assessed, but not prior to the date of such application for exemption.

(e) It shall be presumed for the purpose of the administration of this section, and for no other purposes, that the value of such qualifying solar energy equipment, facilities and devices is not less than the normal cost of purchasing and installing such equipment, facilities and devices.

This ordinance shall be effective from the date of its passage.

ADOPTED AND APPROVED this ____ day of March, 2011.

MAYOR

ATTESTE: _____
CLERK OF THE COUNCIL

Council Member Chenault left 9:06 p.m. and returned 9:10 p.m.

City Manager Hodgen presented an overview of pros and cons of the elimination of city decals. City Manager Hodgen stated that from the law enforcement perspective, with other localities no longer using decals, there is little remaining enforcement/identification benefit. City Manager Hodgen stated that from the Treasurer's Office, there will be some savings in the elimination of purchasing decals including reducing part-time staff and the handling of massive "walk-in" traffic during decal sale period. City Manager Hodgen stated the "DMV Stop" program will become

an enhancement collection tool, but it is not foolproof. He also stated that the overall cost reduction to the city for elimination of the decals would be about \$9,000.00 per year. City Manager Hodgen also noted while the decal itself would be eliminated, the charge that accompanies the issuance of the decal is actually a “motor vehicle local license tax”, which will be added to personal property tax bills each year.

Jeff Shafer, City Treasurer, stated that the city would be saving \$9,000.00, but the money will be shifted towards other collection tools that aren’t currently being used. Mr. Shafer stated, however, that he got comforting feedback from other treasurers in the state that had recently eliminated decals in the last year in that they weren’t able to see much of a change in collections after eliminating decals.

Council would like staff to prepare an ordinance dealing with process and to eliminate decals.

Mayor Baugh brought to council’s attention that the Boys and Girls Club approached him about writing a letter on council/city letterhead in support towards a \$750,000.00 grant that they hope to receive. Council Member Degner spoke on behalf of the group stating that he felt a letter demonstrating their support strengthens the grant application, and doesn’t commit the city to anything specific in addition to what the city already provides to the Boys and Girls Club.

Vice-Mayor Byrd offered a motion to appoint Beverly McGowan, 281 Campbell Street, to replace Kathy Whitten at the end of her term to expire June 30, 2011 on the Blue Ridge Community College Local Board. Beverly McGowan will serve her first term to expire June 30, 2015. The motion was seconded by Council Member Chenault and approved with a unanimous voice vote.

At 9:19 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR