

REGULAR MEETING

APRIL 14, 1998

At a regular meeting of Council held this evening at 7:30 p.m., there were present: Mayor Rodney Eagle; City Manager Steven E. Stewart; Assistant City Manager Roger Baker; City Attorney Earl Q. Thumma, Jr.; Vice-Mayor Hugh J. Lantz; Council Member John H. Byrd, Jr., Walter F. Green, III, and Larry M. Rogers; City Clerk Yvonne Bonnie Ryan and Chief of Police Donald Harper.

Council Member Rogers delivered the invocation and Mayor Eagle led everyone in the Pledge of Allegiance.

Council Member Rogers offered a motion to approve the consent agenda, including approval of the minutes and the second reading of an ordinance amending Section 11-5-6(8) of the City Code. The motion also included the second reading of supplemental appropriations for the Police Department and a transportation study. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous recorded vote of Council.

✓ Planning and Community Development Director Turner introduced a request by First Virginia Bank, Eunice Pugh (Old Dominion Realty) and Eugene Muterspaugh to rezone four parcels located at 2320, 2340 and 2360 South Main Street and a vacant lot from M-1 General Industrial District to B-2 General Business District. The site includes First Virginia Bank, Old Dominion Realty, and the Muterspaugh residence. She reviewed the zoning classifications surrounding the property. The Land Use Guide recommends the property for commercial use. Rezoning the property from M-1 to B-2 would correspond to the Comprehensive Plan's recommendation that the property be used for commercial purposes. She said that Planning Commission recommended approval of the proposed rezoning request.

At 7:39 p.m., Mayor Eagle closed the regular session temporarily and called the evening's public hearing to order. The following notice appeared in the Daily News-Record on Monday, March 30, and April 6, 1998.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a Public Hearing on Tuesday, April 14, 1998, at 7:30 p.m., in the City Council Chambers, Municipal Building, 345 South Main Street, Harrisonburg, Virginia, to consider the following:

Request by First Virginia Bank, Eunice Pugh (Old Dominion Realty) and Eugene Muterspaugh to rezone property at 2340 and 2360 South Main Street from M-1 General Industrial District to B-2 General Business District. The property is identified as parcels 6(D) 1, 2, 3 and 4B on the City of Harrisonburg's block maps. The Comprehensive Plan recommends the property for commercial use.

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 this public hearing.

Any person requiring auxiliary aids, including signers, in connection with Public Hearing, shall notify the City Manager at least five (5) days prior to the time of the meeting.

CITY OF HARRISONBURG
Steven E. Stewart
City Manager

Mayor Eagle called on anyone desiring to speak for or against this rezoning request.

Mike Pugh requested that Council consider the rezoning request. There being no others desiring to be heard, the public hearing was declared closed at 7:40 p.m., and the regular session reconvened. Vice-Mayor Lantz offered a motion to approve this rezoning request. The motion was seconded by Council Member Green, and approved with a unanimous vote of Council.

✓ City Manager Stewart presented the 1998-99 budget to the City Council. He explained that a public hearing will be held on April 28 with final approval suggested on May 12th. There are no tax rates or general fund fees that will increase in the proposed 1998-99 budget. City Manager Stewart explained that in terms of expenditures the budget focuses on three primary functions, which include education, public safety and infrastructure. The proposed budget represents a 12.95% decrease in net expenditures from the 1997-98 budget as amended, while moving forward toward many City priorities. City Manager Stewart then reviewed some of the 12 goals established at the August 1996 Council Planning Session. Since Council created its own Economic Development Department with a full-time Economic Development Director, there will be a great deal more effort focused on marketing of the community to keep quality businesses and attract new businesses that will have higher paying jobs for citizens in the community. The City continues to work with the Redevelopment and Housing Authority in the opening of the downtown theater, restaurant, television station and a farmer's market. The City is also working with the Library Board to expand the current library. Mr. Stewart also said since capital funds are being provided, hopefully construction will start in the near future. The entire operating increase requested by the library has been approved. This should allow the library to continue its efforts in computerization and increase the staff level. The General Fund revenue picture is brighter than last year in that revenues are projected to increase by \$2.7 million. The primary increases will occur in real estate and personal property revenue, business license revenues, and increased contribution from Harrisonburg Electric Commission. Sanitation continues to be an issue that the City will address over the next few years. The City will be putting approximately \$550,000 into a joint operation with Rockingham County for equipment at the landfill and expanding the landfill. The City will provide approximately \$200,000 for closing the old landfill. Another \$200,000 will be used for continuing to retrofit the original resource recovery facility. Expenditures in the Sanitation Fund will continue to increase in the next few years. Mr. Stewart noted that the City is committed to public safety and the proposed Police Department budget will include adding four new police officers. The Fire Department budget proposes hiring six new firefighters after January 1st responding to the "Two-In-Two-Out" rule. The

proposed budget also calls for a pilot program beginning in July allowing two police officers to take cruisers home with them. The expenditures proposed for Public Works has a significant increase to maintain the infrastructure. He went on to point out that school represents the largest single expenditure in the City budget (the proposed transfer from the General Fund is 41% of the total General Fund expenditures). The City is proposing to increase the school funding by \$900,000 or a 5.2% increase over the current year's funding. The City's total projected 1998-99 revenue from all property taxes (real estate and personal), including penalties and interest, is \$15,847,500. The City's proposed contribution to the school budget for next year is \$18,172,932. This amount does not include the fact that the City will be replacing two school buses which will add additional cost to the City in local dollars of approximately \$160,000. The City will continue its commitment to work with the schools to find money for renovation of the three older elementary schools. The reduction in debt service for next year resulted by paying off some of the debt for the VRS. Mr. Stewart reviewed debt service for the schools during the last ten years, and noted that in 1988, the City came up with an additional approximately \$3 million to complete the Thomas Harrison Middle School when it went over budget. Maintaining the City's infrastructure includes replacing a 1982 fire truck, resurfacing streets, replacing equipments in the Public Works Department, replacing playground equipment at Westover Park, replacing the roof at Gilkerson Community Activity Center, replacing water mains, replacing several sections of the Blacks Run Sewer Interceptor, replacing two school buses, and replacing the North Main Street Bridge. Mr. Stewart noted that the entire budget document is available for review at the City Manager's office and the library.

✓ Brenda Spencer, Court Service Unit Supervisor, presented a resolution endorsing the Virginia Juvenile Community Crime and Control Act Plan. The Virginia Juvenile Community Crime Control Act was developed to ensure sanctions and services to juvenile offenders to deter crime and reduce repeat juvenile offenders before the court. Harrisonburg and Rockingham County will receive a total of \$244,402 for each year of each biennium. The plan calls for the two jurisdictions to collaborate under this act, with the City serving as the fiscal agent. She briefly reviewed the plan. Council Member Rogers offered a motion to approve this resolution as presented. The motion was seconded by Council Member Green, and approved with a unanimous vote of Council.

✓ Jane Hubbell, Project Coordinator for the Office on Youth of Big Brothers/Big Sisters, presented a list of individuals for Council's consideration to serve on the Youth Services Commission:

Larry Rogers - City Council/CSB/member of the High Risk Families Coalition.
 Mike Wenger - Director of Education Services, RMH/member of Mental Health Coalition.
 Steve Jackson - Principal Spotswood Elementary/Parent.
 Henry Whitelow - Supervisor, Juvenile Court Service Unit/member of the High Risk Families Coalition.
 Tonja O. Perez - Migrant Education Coordinator/member of the Mental Health Coalition.
 Emily Purdy - Director United Way/member of the Healthy Community Council.

Council Member Green offered a motion to approve the list. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

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

RESOLUTION

WHEREAS, the young people of Harrisonburg are tomorrow's leaders; and

WHEREAS, many such young people need professional youth services to help them cope with a wide range of social and financial hardships; and

WHEREAS, the Boys & Girls Club of Harrisonburg & Rockingham County is providing services to more than 300 young people annually; and

WHEREAS, the Boys & Girls Clubs are at the forefront of efforts in substance abuse, delinquency, and teen pregnancy prevention, and outreach to immigrant families; and

WHEREAS, the Boys & Girls Club organizations in our state help ensure that our young people keep off the streets, offering them a safe and supportive place to go and providing them with quality programs; and

WHEREAS, the Boys & Girls Club of Harrisonburg & Rockingham County will celebrate National Boys & Girls Club Week, 1998 along with some 2000 Clubs and more than 2.6 million young people nationwide;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Harrisonburg, Virginia that April 19 - April 25 be designated as *Boys & Girls Club Week in Harrisonburg*.

BE IT FURTHER RESOLVED that the Mayor and City Council urge the citizens of Harrisonburg, Virginia to join us in recognizing and commending the Boys & Girls Club of Harrisonburg & Rockingham County in our City for providing comprehensive, effective services to the young people in our community.

Date

Rodney L. Eagle, Mayor

Attest:

Clerk of City Council

✓ Heather Denman requested that Council approve the resolution and introduced several staff members of the Boys and Girls Club. Council Member Green offered a motion to approve this resolution. The motion was seconded by Council Member Byrd, and approved with a unanimous vote of Council.

✓ City Manager Stewart presented a resolution for Council's consideration to refinance lease revenue bonds. He explained that in September of 1991, the City and County issued lease revenue bonds through the Harrisonburg Redevelopment and Housing Authority to construct a new judicial complex. Since interest rates are lower, the City and County can save a substantial amount of money by refunding these bonds.

✓ Charles "Chip" Bassett representing Craigie, Inc., said that in 1991 the City and County issued revenue bonds for a joint project for the district courts and regional jail. This project was financed with a bond issue through the Redevelopment and Housing Authority. The state reimbursed the two jurisdictions for approximately 50% of the jail portion of the project cost over the life of the 1991 bond issue. By refinancing these bonds now, it will save the City and County approximately \$110,000 per year except the final year. Following further discussion and comments, Council Member Rogers offered a motion to approve this resolution as presented. The motion was approved with a unanimous recorded vote of Council.

✓ City Manager Stewart presented a lease amendment between the City of Harrisonburg, Rockingham County and the Harrisonburg Redevelopment and Housing Authority. He explained that this lease amendment would allow the City and County to have storage space in the old Bridgeport Building which is adjacent to the Social Services and Health Department building. There will be no charge for using the space except the City and the County will be asked to pay a proportional share of the property insurance and utilities. The lease agreement has been reviewed by the City Attorney. Council Member Rogers offered a motion to approve this agreement. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

✓ Planning and Community Development Director Turner introduced a request to rename "Gilmer Circle" due to development plans changing this street design from a loop street to two cul-de-sacs. She explained that the original preliminary subdivision plat for Stonespring Village showed "Gilmer Circle" as a loop street. Since then, the developer has changed plans to call for two cul-de-sacs in place of the loop street, consequently, there are now two streets named "Gilmer Circle." Because of emergency response, mail delivery and other types of service deliveries, the City does not want to have two streets with the same name. The developer, with the residents of the street to be renamed, has proposed that the street be renamed to Apple Ridge Road. Mrs. Turner said that she had spoken with the developer suggesting that the street be renamed Apple Ridge Court since it was not a through street; however, the developer could not speak for the residents. Mrs. Turner suggested that the second Gilmer Circle be changed to Apple Ridge Road or Court if the residents agreed. Council Member Rogers offered a motion to approve this request as presented. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

✓ Public Works Director Baker announced that Moore Bros., Inc., was the low bidder at \$4,845,170.85 for the Reservoir Street Roadway widening and bridge replacement over I-81. Funds for this project will be from previously approved bond proceeds plus contribution from VDOT. Construction is scheduled to start in mid May 1998 and be completed by December 10, 1999. The bridge will be closed to through traffic from January 1, 1999 to November 10, 1999. Council Member Green offered a motion to award this contract to Moore Bros., Inc., subject to approval by VDOT. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

✓ City Manager Stewart presented a request from Rockingham County to name a street that lies in both the City and the County. He explained that the street lies immediately east of I-81 and extends from Old Furnace Road north to Route 724. The County has named its portion of the street Buffalo Drive and asks the City to do the same. It has been recommended for approval by City Staff. Vice-Mayor Lantz offered a motion to approve this request. The motion was seconded by Council Member Rogers, and approved with a unanimous vote of Council.

✓ City Manager Stewart presented a request to charge off delinquent utility bills incurred between the dates of June 1996 to March 1997. The letter stated that none of the accounts listed currently have service with the City of Harrisonburg. The amount to be written off is \$7,490.59. Council Member Green offered a motion to write off the list of delinquent accounts. The motion was seconded by Council Member Rogers, and approved with a unanimous vote of Council.

✓ City Manager Stewart presented a request for a supplemental appropriation for the Parking Authority. These funds will be used for repairs to the Water Street parking deck which a truck damaged. The City is pursuing recovering these costs from the person responsible for the damages. Vice-Mayor Lantz offered a motion to approve this request for a first reading, and that:

\$60,000 chge. to: 2015-31010 Amount from fund balance

\$60,000 approp. to: 2015-410641-43360 Buildings & grounds

The motion was seconded by Council Member Rogers, and approved with a unanimous recorded vote of Council.

✓ Police Chief Harper presented a request for a supplemental appropriation for the Police Department. He explained that these funds were received from a DMV grant to purchase a radar unit. Vice-Mayor Lantz offered a motion to approve this request for a first reading, and that:

\$1,500 chge. to: 1000-2520 DMV grant

\$1,500 approp. to: 1000-310131-46140 Other operation supplies

The motion was seconded by Council Member Rogers, and approved with a unanimous recorded vote of Council.

City Manager Stewart presented a request to transfer funds from the General Fund to the Capital Projects Fund. These funds will be used over a long range time frame for the City wide drainage study. Council Member Rogers offered a motion to approve the transfer of these funds.

\$124,196.70 chge. to: 1310-34210 Transfer from General Fund

\$124,196.70 approp. to: 1310-910141-48616 City Wide Drainage Program

The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

Taines Rontopoulos thanked City Council for sending a letter to the State Corporation

Commission expressing his concern for the changes made by Columbia Gas Company. These changes were made in its procedure for connecting customers with gas service. Mr. Rontopoulos noted that apparently the State Corporation Commission was not aware of the changes made by Columbia Gas Company until receiving the letter from the City. He also expressed his appreciation for the change in the sign ordinance permitting menu board signs in downtown Harrisonburg.

Terry Turner, manager of Shelly's Truck Cab, Inc., expressed concern about the vandalism occurring on South Main Street.

City Manager Stewart said that he had received a telephone from a staff member of the State Corporation Commission indicating that they received the letter from the City. The staff member mentioned that the commission was not aware of the change in the gas company's policy. At face value it does not appear to violate the gas company tariff, but the City had raised some interesting safety concerns which they will pursue and the City will receive a response.

At 8:46 p.m., Council Member Rogers offered a motion that Council enter an executive session for discussion and consideration of personnel and prospective candidates to be appointed to the Executive Committee of Central Shenandoah Planning District Commission, Central Shenandoah Planning District Commission, Social Services Advisory Board, Harrisonburg-Rockingham Regional Sewer Authority, and Community Services (Chapter 10) Board, and the evaluation of a City department, exempt from public meeting requirements pursuant to Section 2.1-344(A)(1) of the Code of Virginia. Consultation with the City Attorney and briefings by staff members pertaining to probable litigation and a proposed contract, requiring the provision of legal advice by the City Attorney, exempt from public meeting requirements pursuant to Section 2.1-344(A)(7) of the Code of Virginia, 1950, as amended. The motion was seconded by Council Member Byrd, and approved with a unanimous vote of Council.

At 11:54 p.m., the executive session was declared closed and the regular session reconvened. The following statement was agreed to with a unanimous recorded vote of the Council: I hereby certify to the best of my knowledge and belief that (1) only public matters lawfully exempt from open meeting requirements 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 executive or closed meeting were convened were heard, discussed or considered in the executive session by the City Council.

At 11:55 p.m., there being no further business and on motion adopted the meeting was adjourned.


CLERK


MAYOR