

REGULAR MEETING

SEPTEMBER 22, 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, CMC, and Chief of Police Donald Harper.

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

Assistant City Manager Baker introduced four new City employees: Jennifer Whistleman, Human Resource Director; Roderick Pollard, Scott Dinkel, and Victoria Kielbasa, Police Department.

Council Member Rogers offered a motion to approve the consent agenda, including approval of the minutes and the second reading of a supplemental appropriation for the Police Department, closing a portion of Moore Street and referring a request to close a portion of Country Club Road to the Planning Commission. The motion was seconded by Council Member Byrd, and approved with a recorded roll call vote taken as follows:

- Vote: Yes - Council Member Rogers
- Council Member Byrd
- Vice-Mayor Lantz
- Council Member Green
- Mayor Eagle

No - None

Frederick G. Griffin, a professional radio consultant, presented a brief report for Council's consideration regarding the City's current radio communication system. He said that his firm had been hired to help determine and identify deficiencies in the present radio communication system and present an alternative that would benefit the City. The City's current radio communication system lacks insufficient coverage, lacks inter-agency communications capability, operates on three different frequencies, and its aging equipment makes it more difficult to find spare parts. The City's system has not been growing with the population and nothing has been built into the infrastructure regarding future data in the field. He suggested that the City implement a trunked simulcast radio system to provide a utility telephone switchboard in the sky for radio users which will require a relicensing process. He recommended that the communication system should have a consolidated dispatch center and described the system as "akin to cellular telephones, only instead of a person-to-person system like cellular, it is a group-to-group (dispatch) and priority management control." This is a utility type project which means there is an up-front infrastructure cost. He noted that if the

system is upgraded, it can be expected to last for 15 to 20 years. The next step in the process involves a minimal amount of money, but a maximum amount of planning. Mr. Griffin also said that improvements to Harrisonburg's radio communications system could cost approximately \$3.3 million; however, it will take approximately two years before any money will be needed for this project. This report is not intended to be used as a design document, but rather it should be used for planning, developing budgetary plans and a basis for future designs. City Manager Stewart noted that staff will be preparing an update to the Capital Improvement Program and this report will be very helpful in determining a radio communication system for the City of Harrisonburg.

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

RESOLUTION

WHEREAS, December 31, 1999 will mark the turn of the century, the millennium, into the year 2000 and signal a period of re-birth, re-evaluation, re-dedication and resolve for the people of the City of Harrisonburg, the commonwealth of Virginia and the world; and

WHEREAS, the objectives of *First Night®-Harrisonburg*, which takes place on New Year's Eve of each year, are to recapture the symbolic significance of the passage from the old year to the new; to unite the community through a shared cultural celebration; and to deepen and broaden the public's appreciation of the visual and performing arts; and

WHEREAS, further objectives of *First Night®-Harrisonburg* are to cultivate a sense of community, bring together the family, revitalize the downtown and decrease alcohol consumption on New Year's Eve; and

WHEREAS, *First Night®-Harrisonburg* has now held seven consecutive years of New Year's Eve celebrations in the City of Harrisonburg, attracting thousands of persons each year; now, therefore, be it

RESOLVED, that the Mayor and City Council shall endorse *First Night®-Harrisonburg 2000*; and be it further

RESOLVED, that *First Night®-Harrisonburg 2000* shall be declared henceforth as "Harrisonburg's Official Millennium Celebration."

Adopted this the 22nd day of September, 1998.

Mayor

Attest:

City Clerk

RESOLVED, That this resolution, in its entirety, be spread upon the minutes of the Harrisonburg City Council.

Witness the following Signatures and the Seal of the City of Harrisonburg, Virginia, this 22nd day of September, 1998.

Rodney L. Eagle, Mayor

Hugh J. Lantz, Vice-Mayor

John H. Byrd, Jr., Council Member

Dr. Walter F. Green, III, Council Member

Larry M. Rogers, Council Member

Yvonne H. Ryan, CMC, City Clerk

✓ City Manager Stewart noted that Ms. Ore had retired after serving 25 years on the Harrisonburg Electoral Board. This resolution was proposed by the board in her honor. He also noted that Council Member Byrd had suggested that all Council Members sign the original resolution. Council Member Green offered a motion to approve this resolution. The motion was seconded by Council Member Rogers, and approved with a unanimous vote of Council.

✓ Council Member Rogers offered a motion to approve the cancellation of the December 22 Council meeting and to move the December 8 meeting to December 15. The motion was seconded by Council Member Green, and approved with a unanimous vote of Council.

✓ City Manager Stewart presented a request to accept the delinquent tax collection report and to authorize the City Treasurer to advertise delinquent real estate taxes for 1997-1998. Council Member Rogers offered a motion to authorize the City Treasurer to advertise the delinquent real estate taxes. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

✓ City Manager Stewart presented a request to transfer School funds. These funds will be used for expenditure functions which were adopted by the Harrisonburg City School Board on June 2, 1998. Council Member Rogers offered a motion to approve the transfer of these funds:

\$83,594 chge. to: 111114-40640 Operation and Maintenance

\$83,594 approp. to: 111114-40610 Instruction

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

✓ City Manager Stewart presented a request for a supplement appropriation for the Reservoir Street project. He explained that these funds came from interest earned on the road bonds which will

be used toward the Reservoir Street project. Council Member Green offered a motion this request for a first reading, and that:

\$244,542.52 chge. to: 1310-31010 Amount from fund balance

155,457.48 chge. to: 1310-31513 Investment earnings

\$400,000.00 approp. to: 1310-910141-48607 East Side Road Improvements

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

Vote: Yes - Council Member Rogers
 Council Member Byrd
 Vice-Mayor Lantz
 Council Member Green
 Mayor Eagle

No - None

✓ City Attorney Thumma presented for Council's consideration of a first reading an ordinance amending and re-enacting Section 11-5-3, 11-5-6 and 11-5-7 of the Harrisonburg City Code. He explained that in reviewing amendments to the sign ordinance he discovered an ambiguity that should have been noticed when these ordinances were amended four or five years ago. Amending these sign ordinances will clarify an interpretation concerning total signage area of property allowed in business and industrial districts. It will change the language; however, it will not change what the City has been enforcing for years. Council Member Rogers offered a motion to approve these ordinances for a first reading. The motion was seconded by Council Member Byrd, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Rogers
 Council Member Byrd
 Vice-Mayor Lantz
 Council Member Green
 Mayor Eagle

No - None

At 8:03 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 Social Services Advisory Board, Community Services (Chapter 10) Board, Harrisonburg Redevelopment and Housing Authority, Building Code Board of Appeals, Parks and Recreation Commission, Harrisonburg Planning Commission, and Harrisonburg Electric Commission, 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. Discussion and consideration of the acquisition of real estate to be used for public purposes, exempt from public meeting requirements pursuant to Section 2.1-344(A)(3) of the Code of Virginia, 1950, as amended. Consultation with the City Attorney and

briefings by staff members on 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 10:22 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.

Council Member Green offered a motion that Paul McFarland, 99 Laurel Street, be appointed to a second term on the Community Services (Chapter 10) Board to expire on November 14, 2001. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

Council Member Green offered a motion that Steven Hottle, 267 Campbell Street, be appointed to a second term on the Building Code Board of Appeals to expire on November 30, 2003. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

Council Member Green offered a motion that Carl Wassum, 1169 Westmoreland Drive, be appointed to a second term on the Building Code Board of Appeals to expire on November 30, 2003. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

Council Member Green offered a motion that James E. Huffman, 1214 Windsor Road, be appointed to a first term on the Planning Commission to expire on December 31, 2002. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

Council Member Green offered a motion that Rudy Propst, 970 Turkey Run Road, be appointed to a second term on the Planning Commission to expire on December 31, 2002. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

Council Member Green offered a motion that Gary D. Buennemeyer, 471 Andergren Drive, be appointed to a second term on the Harrisonburg Electric Commission to expire on December 31, 2001. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

At 10:25 p.m., there being no further business and on motion adopted the meeting was adjourned.

Yvonne Ryan, CMA
CLERK

Rudolf L. Eagle
MAYOR