

REGULAR MEETING APRIL 13, 1999

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.

Vice-Mayor Lantz 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. 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
Absent: None

Planning and Community Development Director introduced a request by AB Builders (contract purchasers) to rezone 0.915 acres, located at 811 Port Republic Road from R-1, Single Family Residential to R-3, Multiple Dwelling District. She explained that the property is located on the south side of Port Republic Road, not far from the intersection with Devon Lane and is currently occupied by an older single family structure. The surrounding area is all zoned R-3 Multiple Dwelling District, and is all developed with multiple dwelling structures, predominantly student housing. The applicant is requesting this rezoning to allow the development of multiple dwellings. The applicant has proffered to dedicate additional right-of-way for the future expansion of Port Republic Road. The existing building is in disrepair and the applicant has proffered to remove the existing structures and other "unsightly conditions" that currently exist on the property. The Comprehensive Plan recommends this area for Medium Density Residential use. Staff recommended approval as the request was in conformance with the comprehensive plan and in character with the surrounding uses. At Planning Commission's public hearing, a letter from a William Voige was received. He lives in Devonshire Village and was concerned about the impact on that development. He requested the opportunity to meet with the applicant to work out a buffer of some type between the two developments. The applicant was agreeable to addressing these concerns. Planning Commission recommended approval of the request to rezone the property with the understanding that the applicant contact Mr. Voige and resolve these concerns prior to this meeting with City Council. Staff is aware that Ray Nicley, agent for the applicant, contacted Mr. Voige after Planning Commission's meeting, but is unsure of the status of the concern at this time.

At 8:40 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 29, and Monday, April 5, 1999.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a public hearing on Tuesday, April 13, 1999, at 7:30 p.m. in the City Council Chambers, 345 South Main Street, to consider the following:

Rezoning

A request by AB Builders (contract purchaser) to rezone 0.915 acres, located at 811 Port Republic Road, from R-1 Single-Family Residential District to R-3 Multiple Dwelling Residential District. The minimum lot area in R-3 districts is 6,000 square feet for a single-family dwelling, 3,000 sq.ft./unit for multi-family dwellings, or 2,000 sq.ft./unit for townhouses. The property, identified as tax map parcel 92-H-0, is recommended for medium density residential use in the Comprehensive Plan, with a density of up to 15 units per acre.

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 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

Steven E. Stewart

City Manager

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

Ray Nicely

, applicant for AB Builders, stated that he thinks this is a straightforward and appropriate rezoning request. However, unfortunately we didn't get the footprint of the building and therefore couldn't come up with a conceptual plan prior to this meeting nor have we met with Mr. Voige. Mr. Nicely suggested that perhaps Council could approve the request or wait until they could honor their commitment and meet with Mr. Voige.

William Voige

said that he was fully in agreement with tabling this proposal. There being no others desiring to be heard, the public hearing was declared closed at 7:45 p.m., and the regular session reconvened. Council Member Rogers offered a motion to table this request until further information could be provided especially since the people involved were willing to sit down and discuss these issues. The motion was seconded by Council Member Byrd, and approved with a unanimous vote of Council.

Richard Singer and Mollie Hinckley, representing the consulting division of the National Golf Foundation, presented a final report of a feasibility study for a proposed new golf course in the City of Harrisonburg. He explained that National Golf Foundation is an organization whose mission is to foster the growth and vitality of golf as an industry. This market study report is an update of a previous market study conducted by National Golf Foundation in 1995. The conclusions of that report indicated that this golf course would not be feasible if it could not make a profit in its first year of operation. Mr. Singer said given that definition, NGF's recommendation was not to proceed with the project. NGF Consulting has studied the overall public golf market in the local Harrisonburg area, with a special focus on utilization and pricing of the existing area public access golf courses. Ms. Hinckley reviewed the area and golf courses considered for the study. Since 1995, the number of rounds played annually has increased significantly as have the price of the green fees. She said that "Two factors tell us that this is a very healthy environment for new public course development" because of the increase in rounds at each course and increased green fees. Tourism is being tracked and surveyed on a more regular basis. It is estimated that at least 4% of the tourists coming through Harrisonburg play golf. There are eight public golf courses that would likely be competing with Harrisonburg for golfers;

however, each course is being played at or beyond capacity. She said based on the number of rounds being played at the existing courses, there is room for more golf. However, she noted there are some new courses being planned in the area including one tied to real estate. Mr. Singer said that he was presenting a final report which clearly indicates there is demand for golf in this area. That demand is demonstrated, it is not calculated in a statistical model. There is a market for a family oriented type of golf course given that most of the existing public golf courses cater to a high-fee tourist market. There is enough demand for golf in the Harrisonburg area to support a moderately priced, no-frills municipal course that caters to families and lesser-skilled players. Mr. Singer noted there are many changes since the 1995 study which indicate golf facilities are doing better than they were in 1995. He mentioned that rounds played and green fees are up which is the first sign of a healthy golf market. He also noted an significant increase in tourism because of the City's ability to target and go after tourists with an increased effort of a new Visitors and Tourist Bureau. The golf course would generate revenue, but would probably lose money in its first three to four years of operation. He said that a municipal golf facility is a long term asset and it shouldn't be evaluated with short term goals and objectives. It is also more expensive to maintain a new golf course facility. Mr. Singer noted that this proposed 18-hole golf course could be built for as little as \$3.8 million or as much as \$5.4 million and includes the playing area and associated buildings. In summary, Mr. Singer said that NGF Consulting believes that there is demonstrated demand for additional public golf in the immediate Harrisonburg area, if a new golf course was built and operated as a municipal golf facility that caters to family and lesser-skilled players at modest to low fees.

City Manager Stewart presented the proposed 1999-2000 budget to the City Council. He explained that a public hearing will be held on April 27 with final approval suggested on May 11th. There are no tax rates that will increase in the proposed 1999-2000 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 9.6% decrease in net expenditures from the 1998-1999 budget as amended, while moving forward toward many City priorities. The primary reason for the decrease in the net budget for next year is reduced expenditures in capital projects. City Manager Stewart then reviewed some of the planning goals that Council adopted at the August 1996 Council Planning Session. The Police Department's proposed budget includes two (2) new positions - a resource officer at the middle school and an officer to be assigned to the mall area. Public safety represents over 17% of the proposed General Fund budget for next year and is second only to educational funding. Public safety includes police, fire, emergency operations, and building inspections. The City continues to work with the Redevelopment and Housing Authority in the opening of the downtown theater, farmers' market and television station and with HEC in providing additional lighting. This budget does propose full funding for the library operating budget for next year and continues the City's commitment to funding the addition and renovations for the library. The new library will be a major anchor for the downtown area. The City is prepared to update, revisit our water supply, and speed up development of water supply if possible. The General fund revenue picture is somewhat brighter than last year in that revenues are projected to increase by nearly \$3.5 million (less transfers from other funds). The primary increases occurred in additional property taxes to be collected (based on growth and reassessment), sales tax collections, recreational fees, increased contribution from Harrisonburg Electric Commission, and HB599 monies from law enforcement in exchange for a moratorium on annexation. The Sanitation Fund budget has increased by about 12.2%, but the transfer from the General Fund in support of this fund remains at the current level of \$2,028,996. Use of undesignated fund balance has increased by \$129,878 to \$576,686. This use of fund balance and the transfer from the General Fund represents 36% of total revenues to operate the department. Increases in the Sanitation Fund will continue in the next few years because of changes in environmental regulations concerning landfills and resource recovery facilities and the aging of the resource recovery facility. The primary reasons for the increase are the aging of the resource recovery facility, closing and monitoring the City's existing landfill, and the City's share of developing the County landfill. As mentioned in the 1998-99 budget narrative, it will be almost impossible to fund the landfill and resource recovery facilities without financing some of the needed improvements and also looking to increase refuse collection charges in the proposed budget for 1999-2000. Therefore, it is proposed that monthly residential

refuse fees increase from \$6.60 to \$8.30 and monthly commercial rates increase beginning with the minimum going from \$14.00 to \$15.70. If the Sanitation Fund were to be fully self-supporting without the use of General Fund transfers or fund balance, the monthly residential rate would be \$30.10 and minimum commercial rate would be \$63.84. Also, the new cell for the landfill has to be built with Rockingham County next year. The current landfill is almost out of space. The City's share will be approximately \$1,656,000 plus another \$182,965 to participate in closing the County existing landfill cell and paying our share of purchasing landfill equipment. This budget assumes that these costs will be financed over a five (5) year period. We must continue to look for ways to keep everything possible out of the waste stream in order to conserve landfill space. We are continuing to investigate the feasibility of operating a material resource facility that could greatly reduce the material going to the landfill and increase the life of each new landfill cell. There are several capital projects for next year for the existing landfill which the City is responsible for closing including \$213,000 for gas remediation and groundwater protection and \$400,000 to rebuild two boilers. In order for the City to meet its expenses, it must keep the current spread between the City and County tipping fees. The \$21 difference is used to help fund the City's debt service on the original resource recovery plant and will be needed in the future to pay for major maintenance of the existing plant. Solid waste is going to be a major financial burden on the City over the next several years. Mr. Stewart said that the Water Fund and Water Fund Capital projects together account for about \$5.2 million or 6.5% of the total net budget. The recent drought has made it necessary for the City to ask people to voluntarily to conserve water because the City has been concerned about the level at Switzer Dam. Because of the recent drought it has become necessary for the City to speed up development of its eastern water supply by proceeding not only with the construction of an intake structure on the Shenandoah River, but also with the design and construction of a raw water line to the City's current water treatment plant. The critical nature of planning for adequate water supplies will necessitate the need to finance the development of the eastern water supply project. It appears that the current rate structure will not be adequate to cover the proposed expenditures necessary to finance this major project that will provide an adequate water supply for our citizens. Therefore, it is proposed that water rates be increased by \$.23 per 1,000 gallons; however, there will be no sewer rate increase proposed. Mr. Stewart again reiterated that one of the primary focuses is education. The City proposes to increase the appropriation to the school operating budget next year by \$672,010 for a total of \$18,844,942. This recommendation appropriation represents 100% of the School Division's budget request. In addition, the City proposes \$500,000 towards the \$3.3 million Keister renovation project that includes the already approved issuance of \$2,005,000 in bonds. In addition, another \$210,000 is proposed in the Public Transportation budget for the purchase of three (3) new school buses. The City's total projected 1999-2000 revenue from all property taxes (real estate and personal), including penalties and interest, is \$16,109,300. The City's proposed contribution to the school budget for next year is \$19,344,942 plus the additional \$210,00 for the three (3) new school buses. The estimated debt service for next year including the new bonds is \$2.9 million which is a reduction of \$132,000. Maintaining the City's infrastructure includes replacing the North Main Street Bridge at Johnson Street, tennis court renovations, Keister Elementary School renovations, replacing water mains, water tank repair, replacing three (3) school buses, replacing transit buses, replacing several sections of the Blacks Run Interceptor, and replacing a number of sewer mains. Mr. Stewart noted that the entire document is available for review at the City Manager's office and the library.

City Manager Stewart presented a request for a supplemental appropriation for the Police Department. He explained that this Division of Motor Vehicles grant money will reimburse the department for purchase of a radar unit. Vice-Mayor Lantz offered a motion to approve this request for a first reading, and that:

\$1,500.00 chge. to: 1000-32520 DMV Grant

\$1,500.00 approp. to: 1000-310131-48111 Machinery and Equipment

The motion was seconded Council Member Green, 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

Absent: None

City Manager Stewart presented a request for a supplemental appropriation for the Police Department. He explained that these funds will be used to purchase replacement software for records management system. Vice-Mayor Lantz offered a motion to approve this request for a first reading, and that:

\$21,000.00 chge. to: 1000-31010 Amount from fund balance (drug forfeiture)

\$21,000.00 approp. to: 1000-310131-48173 Software

The motion was seconded Council Member Green, 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

Absent: None

City Manager Stewart presented a request for a supplemental appropriation for the Police Department. He explained that these funds will be used to purchase a new file server for the records management system. Vice-Mayor Lantz offered a motion to approve this request for a first reading, and that:

\$16,821.00 chge. to: 1000-33509 Block Grant #98LVBX3426

\$16,821.00 approp. to: 1000-310131-48172 Computer Hardware (replacement)

The motion was seconded Council Member Green, 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

Absent: None

Ben Fordney

, member of Friends of Hillandale Park, appeared before Council and stated that he was confused because the report from National Golf Foundation in 1995 talked about a high degree of risk for a golf course at Hillandale Park. He said that the report presented this evening has a different approach. He noted that the representatives spoke about speaking to people in the community, City Council members, Parks and Recreation members; however, they didn't speak to anyone opposed to it. A lot of the objections for the park have been stated and noted that only 10%-11% of the United States population participate in golf. He reminded everyone that it had been mentioned tonight that the City has a water shortage and golf courses use anywhere from 15-18 million gallons of water each month. The economy during the last few years has been growing at a very significant rate and questioned what would happen if there was a down turn in the economy. He questioned if wages had gone up in the community, had the population grown, and suggested the figures on tourism was hazy. He encouraged Council to go back to the Master Plan discussed in 1996 and suggested that the park be used for a nature center, more trees, and wild life preservation program.

Carolyn Frank

questioned the feasibility study of the golf course and how much the citizens of Harrisonburg want to pay for a course including those people who do not play golf.

Cecil Gilkerson

said that nine years ago he had proposed this golf course and perhaps at that time if we had built it, who knows what it could have become. We know now after listening to the National Golf Foundation and finding the numbers that they found tonight, it is possible to build such a golf course. The Municipal Golf Course is much different from a private or other public golf courses. It could become not only a family golf course, but also help the children to learn to play golf especially the Afro-American and Hispanic children. It could also benefit senior citizens and women. A Municipal Golf Course would give the City of Harrisonburg a quality of life that is very important with all the industry coming into the City looking for recreation especially golf. He encouraged the City to look into the golf course very seriously and commended National Golf Foundation for a great report.

Pat Sweet

said many expenditures were discussed tonight in the presentation of the budget including renovating Keister Elementary School and the Parks and Recreation Department. He said that Cecil Gilkerson who was the director of the Parks and Recreation Department gave us an opportunity to play baseball, tennis, soccer and all types of sports. He said that he grew up utilizing planned activities at all of the City's parks especially during the summer where kids could go and enjoy the activities. Hillandale Park does not have many planned activities and our parks should be utilized for our families and children to enjoy sport activities. Hillandale Park should not be used only for wildlife and natural refuse. He encouraged Council to take a look at the golf study for the families in Harrisonburg who enjoy sports and enjoy outdoor activities.

At 9:00 p.m., Vice-Mayor Lantz offered a motion that Council enter an executive session for 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, amended. The motion was seconded by Council Member Rogers, and approved with a unanimous vote of Council.

At 9:45 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 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 10:10 p.m., there being no further business and on motion adopted the meeting was adjourned.

CLERK

MAYOR