

REORGANIZATION MEETING

SATURDAY, JULY 1, 2000

At a reorganization meeting held in the Council Chamber today at 10:00 a.m., there were present: City Manager Steven Stewart, Assistant City Manager Roger Baker; Council Members Carolyn W. Frank, Joseph Gus Fitzgerald, Hugh J. Lantz, Dorn W. Peterson, and Larry M. Rogers; City Clerk Yvonne "Bonnie" Ryan, CMC/A&E and Chief of Police Donald Harper.

The following special meeting call was presented:

An emergency existing, there will be a special meeting of the City Council, required by Section 42 of the City Charter, to be held in the Council Chamber on Saturday, July 1, 2000 at 10:00 a.m., to consider the following matters and take necessary action thereon:

1. Call to order.
2. Oath prescribed by Law, Section 42 of the City Charter:
3. Re-organization of City Council:
 - a. Election of MAYOR, 2 year term (Section 7 City Charter).
 - b. Election of VICE-MAYOR, 2 year term (Section 7 City Charter).
 - c. Appoint CITY ATTORNEY, 2 year term (City Code Section 3-2-1).
 - d. Appoint one member of Council to Planning Commission, (City Code Section 10-1-2(c)).
 - e. Appoint one member of Council to Parks and Recreation Commission (City Code Section 9-1-1).
 - f. Liaison to Social Services Advisory Board, City/County Liaison Committee, Central Shenandoah Planning District Commission, Chamber of Commerce, Greener Harrisonburg, Deer Population Task Force, and School Board Liaison.
4. Designate regular meeting time and dates (Currently 2nd and 4th Tuesday of each month at 7:30 p.m.) Changing the time and/or date requires an amendment to City Code Section 2-2-5.
5. Consider report from golf course committee.
6. Discussion and potential action concerning golf course.
7. Other Matters (as agreed to by all members of Council).

✓ City Clerk Ryan reported that she was in receipt of Oaths of Office, duly taken by Carolyn W. Frank, Joseph Gus Fitzgerald and Dorn W. Peterson.

Under Item #3 of today's agenda, "Re-organization of City Council, Section a through f, the following actions were taken:

Council Member Rogers offered a motion that Mr. Joseph Gus Fitzgerald be appointed as Mayor of the City of Harrisonburg. The motion was seconded by Council Member Lantz; however, the motion failed with a three to two recorded roll call vote taken as follows:

Vote - Yes - Council Member Lantz
Council Member Rogers

No - Council Member Frank
Council Member Fitzgerald
Council Member Peterson

Council Member Peterson offered a motion that Mrs. Carolyn Frank be appointed as Mayor of the City of Harrisonburg. The motion was seconded by Council Member Fitzgerald, and approved with a three to two recorded roll call vote taken as follows:

Vote - Yes - Council Member Frank
Council Member Fitzgerald
Council Member Peterson

No - Council Member Lantz
Council Member Rogers

Council Member Fitzgerald offered a motion that Mr. Dorn Peterson be appointed as Vice-Mayor of the City of Harrisonburg. The motion was seconded by Council Member Lantz, and approved with the following recorded roll call vote taken as follows:

Vote - Yes - Council Member Rogers
Council Member Lantz
Council Member Fitzgerald
Council Member Peterson
Mayor Frank

No - None

Council Member Rogers offered a motion that Mr. Earl Q. Thumma, Jr., be appointed as the City Attorney. The motion was seconded by Council Member Lantz; however, the motion failed with a three to two recorded roll call vote taken as follows:

Vote - Yes - Council Member Rogers
Council Member Lantz

No - Council Member Fitzgerald
Vice-Mayor Peterson

Mayor Frank

Vice-Mayor Peterson offered a motion that Mr. Thomas H. Miller, Jr., be appointed as the City Attorney. The motion was seconded by Council Member Fitzgerald, and approved with a three to two recorded roll call vote taken as follows:

Vote - Yes - Council Member Fitzgerald
Vice-Mayor Peterson
Mayor Frank

No - Council Member Lantz
Council Member Rogers

Newly appointed City Attorney Miller joined the City Council meeting.

Council Member Rogers offered a motion that Dorn Peterson be appointed to a term on the Harrisonburg Planning Commission. The motion was seconded by Council Member Lantz, and approved with the following recorded roll call vote taken as follows:

Vote - Yes - Council Member Rogers
Council Member Lantz
Council Member Fitzgerald
Vice-Mayor Peterson
Mayor Frank

Absent - None

Vice-Mayor Peterson offered a motion that Carolyn Frank be appointed to a term on the Harrisonburg Parks and Recreation Commission. The motion was seconded by Council Member Fitzgerald, and approved with the following recorded roll call vote taken as follows:

Vote - Yes - Council Member Rogers
Council Member Lantz
Council Member Fitzgerald
Vice-Mayor Peterson
Mayor Frank

Absent - None

Vice-Mayor Peterson offered a motion that Joe Fitzgerald be appointed to serve on the Social Services Advisory Board. The motion was seconded by Council Member Lantz, and approved with the following recorded roll call vote taken as follows:

Vote - Yes - Council Member Rogers
Council Member Lantz
Council Member Fitzgerald

Vice-Mayor Peterson
Mayor Frank

Absent - None

Vice-Mayor Peterson offered a motion that Council Member Lantz and Council Member Rogers be appointed to the City/County Liaison Committee. The motion was seconded by Council Member Fitzgerald, and approved with the following recorded roll call vote taken as follows:

Vote - Yes - Council Member Rogers
Council Member Lantz
Council Member Fitzgerald
Vice-Mayor Peterson
Mayor Frank

Absent - None

Council Member Rogers offered a motion that Mayor Carolyn Frank be appointed to the Central Shenandoah Planning District Commission. The motion was seconded by Vice-Mayor Peterson, and approved with the following recorded roll call vote taken as follows:

Vote - Yes - Council Member Rogers
Council Member Lantz
Council Member Fitzgerald
Vice-Mayor Peterson
Mayor Frank

Absent - None

Vice-Mayor Peterson offered a motion that Council Member Joe Fitzgerald be appointed to the Chamber of Commerce. The motion was seconded by Council Member Lantz, and approved with the following recorded roll call vote taken as follows:

Vote - Yes - Council Member Rogers
Council Member Lantz
Council Member Fitzgerald
Vice-Mayor Peterson
Mayor Frank

Absent - None

Council Member Fitzgerald offered a motion that Vice-Mayor Dorn Peterson be appointed to Greener Harrisonburg. The motion was seconded by Council Member Lantz, and approved with the following recorded roll call vote taken as follows:

Vote - Yes - Council Member Rogers

Council Member Lantz
 Council Member Fitzgerald
 Vice-Mayor Peterson
 Mayor Frank

Absent - None

✓ Council Member Fitzgerald offered a motion that Council Member Lantz be appointed to the Deer Population Task Force. The motion was seconded by Council Member Rogers, and approved with the following recorded roll call vote taken as follows:

Vote - Yes - Council Member Rogers
 Council Member Lantz
 Council Member Fitzgerald
 Vice-Mayor Peterson
 Mayor Frank

Absent - None

✓ Council Member Lantz offered a motion that Mayor Carolyn Frank be appointed as the Harrisonburg School Board Liaison. The motion was seconded by Council Member Rogers, and approved with the following recorded roll call vote taken as follows:

Vote - Yes - Council Member Rogers
 Council Member Lantz
 Council Member Fitzgerald
 Vice-Mayor Peterson
 Mayor Frank

Absent - None

Council Member Lantz offered a motion that City Council meet each month on the 2nd and 4th Tuesday of each month at 7:30 p.m. The motion was seconded by Council Member Fitzgerald, and approved with a recorded roll call vote taken as follows:

Vote - Yes - Council Member Rogers
 Council Member Lantz
 Council Member Fitzgerald
 Vice-Mayor Peterson
 Mayor Frank

Absent - None

✓ Bob Heath, former Mayor of Harrisonburg, and Chairman of the Citizens' Advisory Committee, which the three new members of Council had created to advise them on the golf course presented a preliminary report to City Council. Mr. Heath said that including himself the committee consisted of Mike Layman, Julius Roberston, Dean Elders, Eric Gordon, John Sellers, Kathy

Whitten, Rudy Propst, Warren Dillenbeck, and Wayne Alley. The committee met ten times to discuss this issue, walked over the golf course and discussed the finances of the proposed golf course. Mr. Heath said that all ten of the committee members agreed with the conclusion. Mr. Heath read the following conclusion: The issue is not whether the golf course should have been built but whether it should be completed. The situation today is entirely different from what it was before construction began. Mr. Heath said that if the City should decide to complete the golf course based on the above analysis, there are compelling reasons to do so and he named those reasons. The "compelling reasons" are that the Golf Course may have a reasonable chance of success if carefully managed, the amount of money already spent and the additional cost required to stop construction would be a major reason to move forward. The fact that the bond issue has been sold with a 10-year non-callable feature that will add to the complication and the cost of stopping construction. He said that although this is not a recommendation, it is a conclusion, but it simply says if you decide to move forward these are the things that would be important in that decision.

Vice-Mayor Peterson thanked former Mayor Heath and the committee for the tremendous amount of work put into the committee and the report in a very short time.

Council Member Fitzgerald also thanked the committee noting that they have probably met more times in June than City Council will meet between now and Halloween. He also said that this committee has worked without pay, had a very rocky and controversial beginning which reflected on you when it should have reflected on us. The committee bore it well, held on and did the job we asked you to do. Mr. Fitzgerald said that when this committee was formed, "I was expecting one result and hoping for another. But, it is clear that I didn't get my wish and it's time for the healing to begin and reach a conclusion." Then Council Member Fitzgerald made a motion to accept the findings of this committee and that we continue with the golf course project and finish it. Council Member Rogers seconded the motion made by Council Member Fitzgerald.

Vice-Mayor Peterson questioned whether the motion made by Council Member Fitzgerald included finishing the Turf Drain contract or if the motion was to build the golf course out to completion as designed.

Council Member Rogers asked for clarification from the Mayor noting that a motion was on the floor and it had been properly seconded.

Council Member Fitzgerald clarified that his motion was to complete the project as it has been outlined in the past. Council Member Rogers acknowledged that was the motion he had seconded.

City Attorney Miller clarified that the person who made the motion is the only person who can amend the motion and then the motion can be seconded again as amended.

Following further discussion and comments, Vice-Mayor Peterson offered a motion to amend the motion made by Council Member Fitzgerald to state that at this point we will continue with whatever work is necessary to complete the Turf Drain contract including whatever the City has to put in to do clearing and build the pump house which are obligations that the City has taken on and that we visit the issue later on in fall perhaps whether it makes sense to lease the golf course

at that point or to finish it all the way and leave it at that point. Mayor Frank tried to second the motion, but was reminded that the Mayor could not second a motion. Then the motion died for lack of a second.

The question was called with the following results:

Vote - Yes - Council Member Fitzgerald
 Council Member Lantz
 Council Member Rogers

No - Vice-Mayor Peterson
 Mayor Frank

At 10:45 a.m., Vice-Mayor Peterson offered a motion that Council enter a closed session to discuss and/or consider the following: Discussion concerning the potential resignation of a public officer, exempt from public meeting requirements pursuant to Section 2.1-344. A. 1. of the Code of Virginia, 1950, as amended. The motion was seconded by Council Member Fitzgerald, and approved with a unanimous vote of Council.

At 11:29 a.m., the closed session 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 was convened, were heard, discussed or considered in the closed session by the City Council.

At 11:30 a.m., there being no further business and on motion adopted the meeting was adjourned.

Yvonne Ryan, Clerk CLERK Carolyn W. Frank MAYOR