

REGULAR MEETING

JULY 24, 2001

At a regular meeting of Council held this evening at 7:30 p.m., there were present: Mayor Carolyn W. Frank; City Manager Roger Baker; Assistant City Manager Kurt Hodgen; City Attorney Thomas H. Miller, Jr., Vice-Mayor Dorn W. Peterson; Council Member Larry M. Rogers, Hugh J. Lantz, Joseph Gus Fitzgerald; City Clerk Yvonne "Bonnie" Ryan, CMC/MMCA, and Chief of Police Donald Harper.

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

Assistant City Manager Kurt Hodgen introduced eight new City Employees; Dawn Charlton, James Fetterman, Lindsay Hockensmith, Michael Sherman, Police Department; Cindy Fitzwater, Treasurer's Office; Walter Grim, Mark Thomas, Public Works Department; and Willard Comer, Transportation Department.

Vice-Mayor Peterson offered a motion to approve the consent agenda, including approval of the minutes and the second reading of several encumbrances and an ordinance amending Section 10-3-123 of the Zoning Ordinance. The recorded roll call vote was taken as follows:

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

Absent - None

✓ Vice-Mayor Peterson presented an overview on the proposed changes to the City Charter. Mr. Peterson also proposed holding a public forum at the August 14th City Council meeting to discuss the changes. He reviewed the four proposals: 1) This change would allow citizens to vote on critical decisions made by the City Council. After the second reading is held, in order to bring an issue to a vote, a petition with 10 percent of registered voters would have to be submitted. The amendment would not allow voters the right to seek a referendum on budget and tax issues, or zoning. 2) This change would allow voters to recall a Council Member. Fifteen percent of registered voters, as opposed to 10 percent for referendum, would have to sign a petition to force a special election. 3) This amendment would change the terms of Council Members to make a majority of the Council seek re-election every two years. Under the terms of the proposal, the top two vote-getters in any election would win a four-year term, while the third vote-getter would win a two-year term. 4) Any Council Member who is appointed to fill a term should only hold the office until the next election. Council Member Rogers said, "I am wondering what is broke and why

is it necessary to have an amendment change.” Mr. Rogers also expressed concern how potential businesses relocating in Harrisonburg would view the stability of the City Council. Vice-Mayor Peterson answered that the inability of residents to change the direction of a Council is broken. He said, “My proposal would allow residents a greater “veto power” over the City Council.” Council Member Lantz said, “I am concerned about changing the terms of office. During my first year in office I was “ineffective” as I was learning the job.” A Council Member with a two-year term is likely to spend the first year learning and the second campaigning for another term. Following further discussion and comments, it was noted that these changes to the City Charter will appear in “City Hall Update” which will be printed in Daily News-Record on August 10th and a public forum will be held at the August 14th City Council meeting.

City Treasurer Neal presented a request to authorize the advertising of delinquent real estate taxes for 1998/99 and 1999/2000. Council Member Fitzgerald offered a motion to authorize the City Treasurer to advertise the delinquent real estate taxes. The motion was approved with a unanimous vote of Council.

City Manager Baker presented for Council’s consideration a request to declare certain right-of-ways abandoned. He said that VDOT is in the process of disposing of a portion of its surplus right-of-ways which were part of a project of the old Route 33 at the corner of East Market Street and Vine Street (construction project 1982-10, plan file #A5725, Sheet 32) and Switchboard Road (State Road 910) (construction project 0033-115-102, RW201). The property is no longer used because of the relocation of East Market Street and West Market Street. Vice-Mayor Peterson offered a motion to declare these right-of-ways abandoned. The motion was approved with a unanimous vote of Council.

City Manager Baker presented a request for additional funding for the Virginia Quilt Museum. He explained that the museum is doing some remodeling of the building and during the process of replacing the floor in the basement discovered it was infested with termites. The Quilt Museum does not have enough funding to replace the floor. Council Member Fitzgerald offered a motion to approve the funding for the repairs.

\$10,000 chge. to: 1000-940111-49130 Reserve for contingencies

\$10,000 approp. to: 1000-910411-45886 Quilt Museum

The recorded roll call vote was taken as follows:

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

Absent - None

City Manager Baker presented for Council's consideration a request from the Harrisonburg Rescue Squad for additional funding for the new squad building on Reservoir Street. He explained that the Rescue Squad Site Selection Committee has selected a new squad location. Since the new site will cost more, the rescue squad is seeking additional funding from the City. Currently the rescue squad is receiving \$20,000, but have requested an additional \$84,000 for a total of \$104,000 to help with acquiring the land and building the facility. Mr. Baker said that the City is willing to make a commitment to provide the additional funding, but wanted a performance agreement with the rescue squad. He said that the rescue squad is willing to provide information on how it operates and account for the additional funding. Mr. Baker noted that if the rescue squad becomes defunct, two of the rescue squads' ambulances and the building will revert back to the City. Following further discussion and comments, Council Member Lantz offered a motion to approve this request. The recorded roll call vote was taken as follows:

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

Absent - None

City Manager Baker said that the Rockingham County Fair Association has requested bus service during fair week to help with over crowded parking conditions. The City will also assist in paving a portion of the road leading into the fair grounds.

Assistant City Manager Hodgen explained that the new golf course being built in Harrisonburg does not have a name. He said it was widely assumed that the course would simply be called the Harrisonburg Municipal Golf Course. However, the Parks and Recreation staff and members of the golf course committee said that a better name was needed. It was mentioned that many golfers, when they hear municipal golf course think low maintenance and low budget. Since the golf course is scheduled to open in late September signs will need to be erected before the opening. The Golf Course Advisory Committee has suggested having a contest to name the course with an unspecified prize made available for the winner. The winner could be announced at the next City Council meeting.

Mike Layman, chairman of the Golf Course Advisory Committee, said that the committee is struggling to overcome the departure of the Director of Parks and Recreation. He said, "With the director leaving at a crucial time of the golf course we think we can't bring the product you want without an expanded committee. The committee is also trying to cover the bases for a golf director until one is hired. He suggested that the committee needed to be expanded to nine (9) members. Following further discussion and comments, Council Member Lantz offered a motion to approve adding Stan Gray, Jerry Klos, James Robinson, and Antoine Lucas, to the Golf Course Advisory Committee and also approve minor revisions to the committee's charter. The motion was approved with a unanimous vote of Council. Council Member Rogers also agreed to attend the meetings temporarily as a liaison from City Council.

Council Member Fitzgerald offered a motion that Elroy Miller, 1401 North College Avenue, be appointed to an unexpired term on the Harrisonburg Redevelopment and Housing Authority to expire on November 29, 2004. The motion was approved with a unanimous vote of Council.

At 8:35 p.m., Vice-Mayor Peterson offered a motion that Council enter a closed session for the purpose of discussing and considering prospective candidates for appointment to the Community Services (Chapter 10) Board. A closed session is permissible for this purpose pursuant to Section 2.1-344.A.1 of the Code of Virginia (1950), as amended (the Code). The closed session is also for the purpose of considering the acquisition of real estate. A closed session is possible for this purpose pursuant to Section 2.1-344.A.3 of the Code. The closed session is also for the purpose of considering the location or relocation of new business in Harrisonburg pursuant to Section 2.1-344.A.5 of the Code of Virginia (1950), as amended (the Code).

At 10:35 p.m., the closed session ended and the regular session reconvened. City Clerk Ryan read the following statement which was agreed to with a unanimous recorded vote of Council: I 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 closed meeting were convened, were heard, discussed or considered in the closed session by the City Council.

At 10:36 p.m., there being no further business and on motion adopted the meeting was adjourned.

Yvonne Ryan McInnes
CLERK)

Carolyn W. Frank
MAYOR