

REGULAR MEETING

January 26, 2010

At a regular meeting held this evening at 7:00 p.m., there were present: Mayor Kai Degner; City Manager Kurt Hodgen; Assistant City Manager Evan Vass; City Attorney Earl Q. Thumma, Jr.; Vice-Mayor Richard A. Baugh; Council Members David Wiens, Carolyn W. Frank and Ted Byrd; City Clerk Yvonne “Bonnie” Ryan, MMC; and Chief of Police Donald Harper.

Council Member Byrd gave the invocation, and Mayor Degner led everyone in the Pledge of Allegiance.

Members from the cast of “Joseph and the Amazing Technicolor Dreamcoat” presented a brief performance of a musical to be held at the Harrisonburg High School Auditorium February 18-21, 2010.

Council Member Byrd offered a motion to approve the consent agenda, including approval of the minutes and the second reading of supplemental appropriations for the Police Department, Fire Department, and Parks and Recreation Department. The motion also included establishing a deer hunting season (archery) within the City limits. The motion was seconded by Council Member Wiens and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Council Member Byrd
Mayor Degner

Absent – None

The next item of business was holding a public hearing to submit an application for the Edward Byrne Memorial Assistance Grant Fund. Police Chief Harper said these funds in the amount of \$23,808.00 will be used to purchase equipment for the department. A public hearing must be held prior to the Police Department receiving the funds.

At 7:10 p.m., Mayor Degner closed the regular session temporarily and called the evening’s first public hearing to order. He called on anyone desiring to speak for or against the grant application. There being no one desiring to be heard, the public hearing was declared closed at 7:11 p.m., and the regular session reconvened. Council Member Byrd offered a motion to approve the request for the Edward Byrne Memorial Assistance Grant Fund application. The motion was seconded by Council Member Frank and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Baugh
Council Member Frank
Council Member Wiens

Council Member Byrd
Mayor Degner

Absent – None

The next item of business was holding a public hearing to consider CDBG Funding Priorities. Ande Banks, Director of Special Projects and Grants Management, presented an overview of CDBG funding priorities to be consider for the 2010-2011 Community Development Block Grant (CDBG) Program. The Community Development Block Grant (CDBG) Program is a direct entitlement grant amount that stems from the US Department of Housing and Urban Development. Mr. Banks outlined the City needs and objectives in the CDBG Strategic Plan and reviewed the tentative schedule for 2010-2011 CDBG Program. There is no action needed on this item at this time.

At 7:15 p.m., Mayor Degner closed the regular session temporarily and called the evening's second public hearing to order. The following notice appeared in the Daily News-Record on Tuesday, January 19, 2010

**PUBLIC HEARING NOTICE & REQUEST FOR PROPOSALS
CITY OF HARRISONBURG
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

PUBLIC HEARING - The City of Harrisonburg will hold a public hearing on Tuesday, January 26, 2010 at 7:00 p.m. in the City Council Chambers, 409 South Main Street, in order to receive citizen input regarding funding priorities for the Community Development Block Grant (CDBG) Program. Citizen participation is essential to the City's involvement in the Federal Department of Housing & Urban Development's (HUD) CDBG Program. Citizen participation and comments on funding needs and priorities will assist the City in the development of the City's 2010-2011 Action Plan. The Action Plan serves as the City's guide for addressing overall community development and housing needs that will utilize the City's annual entitlement of CDBG funding available from HUD to meet those needs.

All citizens and organizations are invited to attend the public hearing to comment orally or in writing on funding needs and priorities. Questions regarding the grant program are also encouraged. The City of Harrisonburg will make reasonable accommodations and services necessary for sensory-impaired and disabled citizens at the public meeting. Additionally, translation services may be offered upon request and availability. Persons requiring such accommodations/services should contact the City at least three working days in advance of the meeting.

REQUEST FOR PROPOSALS – The City of Harrisonburg is requesting proposals from non-profit organizations, for-profit businesses and organizations, and government agencies for the 2010-2011 CDBG Program. The City's CDBG Program is funded by an annual entitlement from HUD. The entitlement amount for FY 10-11 has not yet been announced by HUD, but will likely be approximately \$539,947. Projects must meet all local and federal eligibility requirements, and eligible projects must meet one of HUD's three

national objectives: 1) Low and Moderate Income Benefit, 2) Elimination of Slum and Blight, or 3) Urgent Need. Furthermore, eligible projects must address at least one of the objectives identified in the City's Consolidated Plan. City objectives include funding projects related to health care and dental services, housing, child care, transportation, sidewalks and pedestrian infrastructure, employment services and job creation/retention, homeless services, recreational services, services for the disabled, parks & playgrounds, and more! Specific objectives, eligibility requirements, and the Consolidated Plan (including a listing of projects funded in previous years) are available on the City website or in the City Manager's Office.

All parties interested in applying for funding through this Program are *strongly* encouraged to attend the Public Hearing outlined above AND to contact Ande Banks prior to submitting an application, to ensure that the proposed project is eligible. The 2010-2011 CDBG Application package is available on the City website at www.harrisonburgva.gov. Applications are due no later than 5:00 am on Wednesday, February 17, 2010. Late applications will not be accepted.

Please contact Ande Banks, at ande.banks@harrisonburgva.gov or 540-432-8923 with questions. Written comments may also be mailed to Ande Banks, Director of Special projects and Grants Management, 345 South Main Street, Harrisonburg, VA 22801.

Mayor Degner called on anyone desiring to speak for or against these recommendations for the CDBG program.

Mary Ellen Chewing, Executive Director of The ARC, discussed their program and thanked everyone for making up to 15% of HUD funds available for non-profits.

Jennie Amison, Executive Director of Gemeinschaft Home, discussed the local program and requested funding to help homeless people with substance abuse problems. She also said that residents of Gemeinschaft Home have been doing a lot of community service projects.

Janet Mash, Executive Director of Camp Still Meadows, said the camp serves children and adults with mental and/or physical disabilities. She thanked Council for their past support. There being no others desiring to be heard, the public hearing was declared closed at 7:22 p.m., and the regular session reconvened.

Todd Bale, Executive Director of the Boys & Girls Club, presented a brief overview of the club and teen center programs. The mission of the Boys & Girls Club is to inspire young people to realize their full potential as productive, responsible and caring citizen. The Boys & Girls Club is a safe place for young people to learn and grow, have on-going relationships with caring adults, provides a life enhancing program that develops character, hope and opportunity. Mr. Bale reviewed financial and operational information.

The next item of business was a Downtown Parking Study presentation. John Edwards, Transportation Consultant, and Brad Edwards, Professional Engineer and Transportation Consultant, presented an overview of the downtown parking study. The survey process began in October 2009 with oversight by an advisory committee made up of downtown business owners and public officials. The report and study includes an inventory of both public and private parking spaces, timed limited spaces, parking management approaches, redesign of existing lots, and the parking demand for a thirty-eight block study area that has been divided into "Core" and

“Fringe” Study areas. The report also recommended improving parking enforcement, encouraging “Shared Use” parking, increasing the over-time parking fine, establishing additional parking fines for repeat offenders, reducing the parking limits in the City’s garages, constructing a new parking deck, demolishing and rebuilding the Water Street Deck, and making the parking manager’s job a full-time position.

Assistant City Manager Vass presented a supplemental appropriation for the general properties budget “Rawley Springs Improvements”. A portion of the revenue generated from the sale of the timber on the City owned property near Rawley Springs will be utilized to develop a recreation plan through JMU and to install gates as well as other barricades to prevent unauthorized vehicle access. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$15,000.00 chge. to: 1000-31908 Sale of Timber

\$11,339.00 approp. to: 1000-430221-4823 Recreation Plan JMU

3,661.00 approp. to: 1000-430221-4823 Gates Manu. & Install

The motion was seconded by Vice Mayor Baugh and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Council Member Byrd
Mayor Degner

Absent – None

City Attorney Thumma presented the following resolution for Council’s consideration of approval:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA AUTHORIZING THE MAYOR TO RESPOND TO THE PROTEST FILED REGARDING THE REJECTION OF ALL BIDS RECEIVED FOR THE CONSTRUCTION OF STONE SPRING ROAD/ERICKSON AVENUE, PHASE II, IN THE CITY OF HARRISONBURG

WHEREAS, on January 12, 2010, the City Council of the City of Harrisonburg rejected all bids for the Stone Spring Road/Erickson Avenue, Phase II project; and

WHEREAS, there was a protest filed by the apparent low bidder, General Excavation Services, Inc., which protest was received by the City Council on January 26, 2010; and

WHEREAS, the City Council wishes to respond to the protest as being late and further to acknowledge that all bids for the Stone Spring Road/Erickson Avenue, Phase II project were rejected by resolution of this Council dated January 12, 2010;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA:

The Mayor and the City Attorney are directed to respond to the protest of General Excavation Services, Inc. pursuant to Section 4-3-54 of the City's Purchasing and Contracting Policy Manual.

Approved: January 26, 2010.

MAYOR

ATTEST:

CITY CLERK

City Attorney Thumma said that the City rejected all the bids on the Stone Spring Road/Erickson Avenue, Phase II project. The City has received a protest filed by the apparent low bidder. Mr. Thumma requested that City Council adopt the resolution authorizing the Mayor and the City Attorney to respond within the guidelines of the City's Purchasing and Contracting Policy Manual. Vice-Mayor Baugh offered a motion to approve the resolution as presented. The motion was seconded by Council Member Byrd and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Council Member Byrd
Mayor Degner

Absent – None

Council Member Byrd offered a motion that Joe Bowman, 3309 Mesinnetto Creek Drive, be appointed to an eighth term on the Shenandoah Valley Airport Commission to expire on January 28, 2013. The motion was seconded by Vice-Mayor Baugh and approved with a unanimous voice vote.

At 8:24 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR