

## REGULAR MEETING

MARCH 24, 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 and Chief of Police Donald Harper.

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

Council Member Rogers offered a motion to approve the consent agenda, including approval of the minutes and the second reading of supplemental appropriations for voting machines, Industrial Park land and the Comprehensive Services Act. The motion was seconded by Council Member Byrd, and approved with a unanimous recorded vote of Council.

✓ Bob Satterwhite, Planner, presented the Shenandoah Valley Private Industry Council's annual plan report. Mr. Satterwhite said that each year the plan is presented for administering federally funded Job Training Partnership Act programs in the Shenandoah Valley. He said that they enrolled 102 City residents last year in the program. Fifty-seven people completed the training which resulted in placing 53 residents in jobs at an average wage of \$8.50 per hour. They also employed 37 City youths in the Summer Youth Program. Council Member Rogers offered a motion to approve the annual summary plan as presented. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

✓ Ruth Deskins representing the Convention & Visitors Bureau presented a request for a Summer Feast on June 20, 1998. She explained that the event will be similar to last year's and will have minimum impact on traffic patterns. Emergency routes will be maintained and Main Street will remain open. The festival also ties into the Mission Statement of C/VB by creating an event to draw visitors to our area, while promoting the restaurants in our area. The Shenandoah Valley Bach Festival concert will be held at noon in the downtown area. Council Member Rogers offered a motion to approve this request as presented. The motion was seconded by Council Member Green, and approved with a unanimous vote of Council.

✓ Planning and Community Development Director Turner presented a request by Forbes Crutchfield General Partnership for approval of a preliminary plat of Port Republic Road Business Park. The request also includes a variance to Section 10-2-42(d) of the subdivision ordinance, which states that all lots shall front on a public street. Mrs. Turner explained that this property consists of approximately 28.61 acres and is located at the intersection of Port Republic Road and Peach Grove Avenue. The applicant is requesting to subdivide the parcel which is zoned B-2 General Business District into nine lots. The ordinance requires that all lots front on a public street; however, proposed lot H does not front on a public street. The purpose of the request is to develop a shopping

center with a Food Lion grocery store and other retail stores. She reviewed the zoning classifications surrounding the property and noted that the property slopes downhill from Port Republic Road and then gradually rises in elevation toward the rear property line. A small creek runs roughly parallel to Port Republic Road. This proposed lot H will have access to both Port Republic Road and Peach Grove Avenue through access easements. The plat shows that they will give the lot a 50-foot wide access easement to Port Republic Road, with use of a private street that will provide access to Peach Grove Avenue. She said that Planning Commission recommends approval of the proposed request. Following further discussion and comments, Vice-Mayor Lantz offered a motion to approve this request as presented. The motion was seconded by Council Member Green, and approved with a unanimous vote of Council.

✓ Planning and Community Development Director Turner presented a recommendation from the Planning Commission to amend Section 11-5-6(8) of the Sign Ordinance. She explained that this amendment would permit "menu board" signs to be located on the sidewalk downtown. In researching other localities, they discovered that the City of Lexington does not permit menu board signs in their downtown area; however, Fredericksburg, Winchester and Roanoke all permit menu board signs of some description. Those localities have restrictions on where they can be located and the hours that they can be placed outside the business. She said that Planning Commission proposes amending Section 11-5-6 of the Harrisonburg City Code adding paragraph 8 which deals with the B-1 Central District stating that: *In the B-1 Central Business District, one portable freestanding sign is permitted for each business. Such signs shall not exceed three (3) feet in width and six (6) feet in height and may be located upon the City sidewalk provided that a clear area of three (3) feet in width is left for pedestrian access. Such signs shall be located only in front of the business advertised and only during the hours of business operation. The sign area shall be in addition to the overall allowable sign area for the business.* Council Member Byrd offered a motion to amend the sign ordinance for a first reading as presented. The motion was seconded by Council Member Rogers, and approved with a unanimous recorded vote of Council.

✓ City Manager Stewart presented a request from the Planning Commission to schedule a joint public hearing on the Comprehensive Plan. He explained that the Planning Commission has been working for several months on updating the Comprehensive Plan and suggested that a joint public hearing be held on May 26, 1998. Vice-Mayor Lantz offered a motion to schedule a public hearing with the Planning Commission on the Comprehensive Plan on May 26, 1998. The motion was seconded by Council Member Rogers, and approved with a unanimous vote of Council.

✓ Dr. Donald Ford, Superintendent of Harrisonburg City Schools, presented the School Board's proposed 1998-99 budget. He reviewed the time line used to develop the budget and noted that the budget is built on a projected 3,625 average daily student enrollment. He explained that state revenues are based on current budget figures from the General Assembly and federal revenues are estimates based on current funding; however, it will be several months before actual numbers are available. If enrollment should increase in specific grades or programs beyond projections, additional personnel may be required. The budget includes a projected 4% average salary increase for employees. He reviewed the budget revenue estimates which the School Board adopted at its March 17th meeting. However, the 6.48% increase represents a revision from a previous 7.37% estimated increase in local funding because of some changes being made by the state which will

result in additional funding. Dr. Ford thanked City Council for retiring the VRS indebtedness. He said that the School Board is requesting revenues for \$30,241,929 or a 6.48% increase in local funds. Some of the higher numbers are related to three categories which include personnel, literacy initiative and technology improvements. Vice-Mayor Lantz commented that he appreciated how it was pointed out that the local revenue increase in the budget would be 6.48% rather than 1.1% which was reported in the newspaper. He also noted that with some debt service reduction, the 6.48% figure would increase to approximately 8% for operating expenses.

✓ City Council directed Assistant City Manager Baker to present a number of proposed projects to be considered for funding at the Virginia Department of Transportation annual pre-allocation hearing on April 3rd in Verona. Mr. Baker explained that the proposed road-widening projects are for consideration in the six-year plan; however, projects listed in the state plan sometimes take much longer than six years to complete. The existing projects under construction include West Market Street, Neff Avenue extended, Reservoir Street and the bridge over I-81. New projects for consideration include completion of four laning Cantrell Avenue, South Main Street, Port Republic Road, Stonespring Road, Linda Lane, Mt. Clinton Pike, East Market Street corridor, Pleasant Valley Road, Country Club Road, and Pleasant Hill Road. The City in the past has requested a new I-81 interchange at Smithland Road which officials hope would take some of the traffic pressure off East Market Street. Mr. Baker said that a four-lane Stone Spring Road would help handle traffic entering the City from that direction and connect with four-lane Peach Grove Avenue. Peach Grove Avenue is expected to be connected with a four-lane extension of Neff Avenue that will meet the street at Port Republic Road. Neff Avenue, which is scheduled to be finished this summer, would then connect Reservoir Street and the area behind Valley Mall with Port Republic Road.

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

### RESOLUTION

✓ **WHEREAS, that due to construction, reconstruction, or elimination of certain streets within the City limits of Harrisonburg, there are deletions and additions of street mileage which are eligible for maintenance payments.**

1. **Collector/local streets to be deleted, totaling 0.21 center line miles (0.42 lanes miles).**
2. **Collector/local streets to be added, which meet the requirements of Sections 33.1-41.1 of the code of Virginia as of February 22, 1985, that are eligible for maintenance payments totaling 4.13 center line miles (9.22 lanes miles). Said street being listed on accompanying U-1 (7-1-85), Virginia Department of Transportation form and shown in red on City map.**
3. **Principal/Minor Arterial streets to be deleted, totaling 0 center line miles (0 lanes miles).**
4. **Principal/Minor Arterial street to be added, which meet the requirements of Section 33.1-41-1 of the Code of Virginia as of February 22, 1985, that are eligible for maintenance payments totaling 0 center line miles (0 lane miles).**

Said streets being listed on accompanying U-1 (7-1-85), Virginia Department of Transportation form and shown in red on City map.

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Harrisonburg respectfully requests the Virginia Department of Transportation to make maintenance payments effective July 1, 1998.

Adopted by the Harrisonburg City Council the \_\_\_\_\_ day of March, 1998.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk of City Council

✓ Public Works Director Baker said that this resolution will add newly developed streets to VDOT Urban Street Inventory. He explained that most of these streets have been developed because of new developments and expansions. By adding these streets to the inventory they will receive future urban maintenance funding. Vice-Mayor Lantz offered a motion to approve this resolution adding these streets to the VDOT inventory. The motion was seconded by Council Member Green, and approved with a unanimous vote of Council.

✓ City Manager Stewart presented a request for a supplemental appropriation to pay a consultant to study bus shelter traffic flows at Godwin Hall. This study will tie into the proposed improvements to Bluestone Drive and I-81 only. There is no request for additional funds from the City. Vice-Mayor Lantz offered a motion to approve this request for a first reading, and that:

\$ 20,000 chge. to: 2013-32516 Transit-Operating  
5,000 chge. to: 2013-31654 JMU Transit Contract

\$25,000 approp. to: 2013-812081-43100 Professional Services

The motion was seconded by Council Member Rogers, and approved with a unanimous recorded vote of Council.

✓ Police Chief Harper presented a request for a supplemental appropriation for the Police Department. He explained that these funds were donated to be used for the K-9 unit. Council Member Rogers offered a motion to approve this request for a first reading, and that:

\$945.00 chge. to: 1000-31809 Donations - K-9 unit

\$945.00 approp. to: 1000-310131-48241 K-9 unit

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

✓ Taines Rontopoulos expressed his concern to Council since Columbia Gas Company has recently changed its procedure for connecting customers with gas service. He explained that the gas company will no longer automatically make a safety inspection inside the residence before turning on the gas. However, a company representative will make an inspection at the customer's request for an additional \$25 fee. He said that as a downtown businessman who owns rental property in the City, "I think it is a terrible, terrible dangerous situation to put our people in. Without an inspection, damage to gas lines would not be detected. Some of the tenants are decent and hard working people, but some of them can't change light bulbs and the thought of them coming into an apartment and trying to light pilots could cause a terrible situation." Vice-Mayor Lantz offered a motion directing the City Manager to write a letter to the State Corporation Commission. The motion was seconded by Council Member Byrd, and approved with a unanimous vote of Council.

✓ Gregory Speck encouraged Council not to consider an I-81 interchange at Smithland Road. He said that even if a beltway was created to circle Harrisonburg, it would not address the ever increasing volume of high speed traffic through the center of the City which is I-81. He said that he was not in favor of widening I-81 to six or eight lanes and suggested moving the interstate to the east and by-passing the City. Mayor Eagle noted that the interstate did not originally pass through Harrisonburg and the JMU campus; however, JMU and Harrisonburg have grown across the interstate.

✓ City Manager Stewart said that he had received a letter from the Virginia Housing Development Authority indicating that they had received an application for the third phase of the Madison Ridge development. The application is for a 48-unit apartment complex. Following further discussion and comments, Council Member Rogers offered a motion directing the City Manager to write a letter to the Virginia Housing Development Authority stating that Council does not support this project nor encourage this type of low income housing. The motion was seconded by Council Member Green, and approved with a unanimous vote of Council.

City Manager Stewart announced that Congressman Goodlatte could only meet with Council on a Monday night, either on April 20 or May 4. City Council suggested that the City Manager select the date and everyone would try to attend.

At 8:40 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 Industrial Development Authority and recommendation for Harrisonburg Board of Zoning Appeals, exempt from public meeting requirements pursuant to Section 2.1-344(A)(1) of the Code of Virginia. Discussion and consideration of economic development and 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. The motion was seconded by Vice-Mayor Lantz, 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 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 Rogers offered a motion that Walter R. Trobaugh, III, 1064 South Dogwood Drive, be recommended to the Circuit Court to fill the unexpired term of Charles P. Bilbrey on the Board of Zoning Appeals to expire on March 20, 2002. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

✓ Council Member Rogers offered a motion that James Ted Byrd, 238 Campbell Street, be appointed to fill the unexpired term of Douglas J. Bullett on the Industrial Development Authority to expire on April 24, 1999. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

At 10:05 p.m., there being no further business and on motion adopted the meeting was adjourned.

Yvonne Ryan, CMC  
CLERK

Rodney L. Eagle  
MAYOR