

AGENDA
WORK SESSION OF THE CHRISTIANSBURG TOWN COUNCIL – 6:00 P.M.
REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL – 7:00 P.M.
CHRISTIANSBURG TOWN HALL
100 EAST MAIN STREET
JUNE 23, 2015 -7:00 P.M.

PLEDGE OF ALLEGIANCE

WORK SESSION

1. The purpose of the work session is to meet with Mike Miller to discuss his proposal of April 28, 2015 for redevelopment of property located at 100 West Main Street.

-----*Recess until 7:00 P.M.*-----

PUBLIC HEARING

1. Conditional Use Permit for major home occupation to allow for firearms sales at 185 South Central Drive.

REGULAR MEETING

- I. CALL TO ORDER BY MAYOR BARBER
- II. CONSENT AGENDA
 1. Council Meeting Minutes of June 9, 2015
 2. Monthly Bills
- III. RECOGNITIONS
- IV. CITIZEN’S HEARING
 1. Steve Velarde – Request that Council consider allowing chickens in the R-1 Single-Family Residential Zoning District.
 2. Citizen Comments
- V. STAFF REPORTS
 1. Ricky Bourne, Director of Public Works, and James Lancianese, Superintendent of Public Works – Update on the Public Works Department.
- VI. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS
 1. Contract with Radford University for the use of the Christiansburg Aquatic Center.
 2. Discussion regarding the request to allow chickens in the R-1 Single-Family Residential Zoning District.

3. Mr. Stipes and Mr. Vanhoozier – Street Committee Report/Recommendation on:
 - a. Relocation/Vacation of Parcel Lines Prepared for and to revise: JBC Properties, LLC, Tax Map #: 530-(2)-84B and Albert's Five, LLC, Tax Map #: 529-(2)-84A; creating 2 lots; located on Fairview Street, S.E.

VII. COUNCIL REPORTS

VIII. TOWN MANAGER'S REPORTS

1. Progress Reports and Announcements

IX. CLOSED MEETING:

1. Request for a Closed Meeting under Virginia Code Section 2.2-3711(A)(3), for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. The Closed Meeting is for a discussion regarding a connector road right-of-way.
2. Reconvene in Open Meeting.
3. Certification.
4. Council action on the matter.

X. ADJOURNMENT

The next regular Town Council meeting will be held at Christiansburg Town Hall on Tuesday, July 14, 2015 at 7:00 P.M.

#750



TOWN OF CHRISTIANSBURG

100 East Main Street

Christiansburg, VA 24073

Phone (540) 382-6120 Fax (540) 381-7238

Conditional Use Permit Application

Landowner: James Craig Dobbins Agent: _____Address: 185 S. Central Dr. NW Address: _____
Christiansburg VA 24073Phone: (540) 449-3429 Phone: _____I am requesting a Conditional Use Permit to allow Firearms businesson my property that is zoning classification R1 under Chapter 42: Zoning of the Christiansburg Town Code.My property is located at 185 S. Central Dr. NW ChristiansburgTax Parcel(s): 434-(5)-155Fee: 750.00

I certify that the information supplied on this application and any attachments is accurate and true to the best of my knowledge. I understand that Conditions may be placed on my property in regards to the above mentioned use/activity. I also understand that the Conditional Use Permit may be revoked and/or additional Conditional Use Permits required should questions regarding conformity arise.

Signature of Landowner(s): J. Craig Dobbins Date: 4-28-15Electa R. Dobbins Date: 4-28-15

Date: _____

This request was approved / disapproved by a vote of the Christiansburg Town Council on _____.

Any Conditions attached shall be considered requirements of the above request.

Town Manager

Date

C-1
4-29-2015



TOWN OF CHRISTIANSBURG

100 East Main Street

Christiansburg, VA 24073

Phone (540) 382-6120 Fax (540) 381-7238

Home Occupation Application

Applicant: James Craig Dobbins Phone: 540-449-3428 Date: 6.1.2015

Proposed Home Occupation name (if any): _____

Address: 185 S. Central Dr.

Zoning District: R-1

Tax Map Number (for office use): 434-(57)-155 Parcel ID Number (for office use): 015866

Property owner: J. Craig Dobbins Property owner's address: 185 S. Central Dr.

1) Provide a detailed description of the proposed home occupation (activities involved, materials and equipment used, methods of operation, etc.): ATF Licensed Firearms

Sales.

2) What type of product or service will be provided by the proposed home occupation? firearms
and accessories. transfer and registration service

3) How many persons will be engaged in the proposed home occupation? Please indicate if these persons live on-premises or off-premises of the home occupation. Two people. my self, and
my wife. LIVE ON PREMISES

4) Describe any possible alterations to the premises that might be required to facilitate the proposed home occupation. (Building permits required for any structural changes/additions). none

5) Describe the area of the premises to be used by the proposed home occupation and the use. (for example: attached garage will be used to store supplies, den will contain a desk, computer, and filing cabinets).

Room on lower level to be used for office

6) Describe any mechanical, electrical, or other equipment that would be used by the proposed home occupation. none

7) Describe how, where, and in what amounts materials, supplies, and/or equipment related to the proposed home occupation will be displayed or stored. Any Firearms and/or ammunition will be stored in a locked safe until sold.

8) Will people come to the proposed site to obtain any product, view samples, attend instructional/informational classes, or otherwise utilize the site for business purposes? ☒ Yes ☐ No

If yes, please explain in detail (please include expected number, frequency, and hours)? As per ATF regulations any transfer must be made at the dealers place of business. However I usually work by appointment so volume is low.

9) Will there be a sign for the proposed home occupation? (Signs are not allowed in the R-1 and R-1A districts; a wall-mounted 2-square foot sign may be allowed in the A, R-2, R-3, and R-MS districts only with Conditional Use Permit approval by Town Council and an approved sign permit.) Yes ☒ No

10) Will there be any outside indication of a business in connection with the proposed home occupation?

Yes ☒ No If yes, please provide detail. _____

11) If trucks or other equipment will be used in the proposed home occupation, describe the vehicles and where would they be parked or stored? none

12) Will the proposed home occupation involve pick-ups or deliveries by UPS, Federal Express, freight carriers, etc. to the proposed home occupation? ☒ Yes ☐ No If yes, please provide detail (size of vehicle, number of axles, frequency, etc.). UPS Trucks, residential size, as normally

seen in the neighborhood. usually no more than once or twice

***** a week
I, the undersigned, understand and agree to the provisions of Chapter 42 "Zoning" of the Christiansburg Town Code regarding home occupations and understand that Conditional Use Permits are required for major home occupations.

Home Occupation Applicant: L. Greg Robbins

Date: 6.1.15

Property Owner (if other than applicant): _____

Date: _____

The home occupation was approved / disapproved by Town Council / Town Manager / Zoning Administrator contingent upon compliance with Town Code and all specified conditions being met.

Date

Town Manager / Zoning Administrator



ESTABLISHED
NOVEMBER 10, 1792

INCORPORATED
JANUARY 7, 1833

MAYOR
D. MICHAEL BARBER

COUNCIL MEMBERS
SAMUEL M. BISHOP
R. CORD HALL
STEVE HUPPERT
HENRY SHOWALTER
BRADFORD J. "BRAD" STIPES
JAMES W. "JIM" VANHOOZIER

TOWN MANAGER
BARRY D. HELMS

**DIRECTOR OF
FINANCE/TOWN TREASURER**
VALERIE L. TWEEDIE

CLERK OF COUNCIL
MICHELE M. STIPES

TOWN ATTORNEY
GUYNN & DILLON, P.C.

Town of Christiansburg, Virginia 24073

100 East Main Street ~ Telephone 540-382-6128 ~ Fax 540-382-7338

Town of Christiansburg Planning Staff Report

Planning Commission Public Hearing Date: Monday, June 1, 2015 at 7:00 p.m.

Town Council Public Hearing Date: Tuesday, June 23, 2015 at 7:00 p.m.

Application Type: Conditional Use Permit

Applicant: James C. Dobbins




Location: 185 South Central Drive, N.W.

The Town of Christiansburg has received a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District



The property does not lie within the 100-Year or 500-Year Flood Hazard Area. The property is not located within a Historic District. The adjoining properties are zoned R-1 Single Family Residential and A Agriculture District. The adjoining properties contain residences and agricultural land.



Legend

-  434-((5))-155
-  Cambria Historic District
-  Parcels

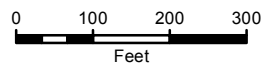
Flood Hazard Area

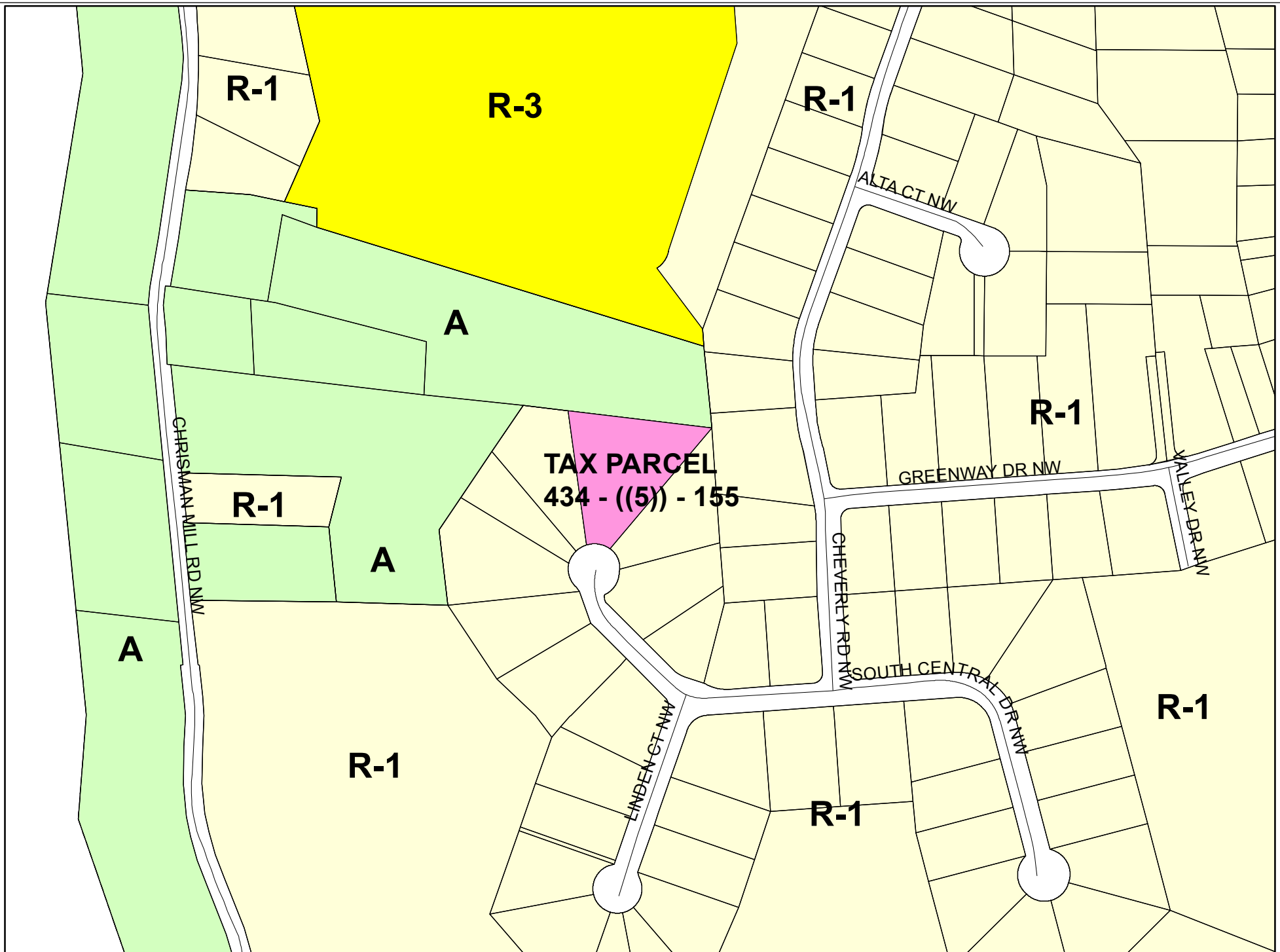
-  100-YEAR
-  500-YEAR

CUP REQUEST: 185 South Central Drive NW

PC: JUNE 1, 2015

TC: JUNE 23, 2015





CUP REQUEST: 185 South Central Drive

PC: JUNE 1, 2015
TC: JUNE 23, 2015

CUP: 185 South Central Drive NW

<u>Tax Map #</u>	<u>Owner(s)</u>	<u>Address</u>	<u>City, State, Zip</u>
434- A 39	NEECE HARRY R	515 CHRISMAN MILL RD NW	CHRISTIANSBURG VA 24073
434- A 39A	PASSEK KELLY M	565 CHRISMAN MILL RD	CHRISTIANSBURG VA 24073
434- 5156	DOBBINS JAMES C	185 SOUTH CENTRAL DR	CHRISTIANSBURG VA 24073
434- 5147	MAYKOWSKYJ MILKO V	480 CHEVERLY RD	CHRISTIANSBURG VA 24073
434- 5155	DOBBINS JAMES C	185 SOUTH CENTRAL DR	CHRISTIANSBURG VA 24073
434- 5154	LIMA PEDRO F	175 SOUTH CENTRAL DR	CHRISTIANSBURG VA 24073
434- 5156A	HYLTON GREGORY S	170 SOUTH CENTRAL DR	CHRISTIANSBURG VA 24073
434- 5157	HYLTON GREGORY S	170 SOUTH CENTRAL DR	CHRISTIANSBURG VA 24073
434- 5158	NUNLEY RUTH G	150 SOUTH CENTRAL DR NW	CHRISTIANSBURG VA 24073
434- 5153	ROBINSON WILLIAM H	155 SOUTH CENTRAL DR	CHRISTIANSBURG VA 24073
	NEECE IRENE D		
	COLLVER MICHAEL E		
	DOBBINS ELESTA L		
	VADEN DONNA LYNN		
	DOBBINS ELESTA L		
	LIMA RENEE Y		
	ROBINSON CAROL KUCHN		

Resolution of the Town of Christiansburg Planning Commission

Conditional Use Permit Application

WHEREAS the Christiansburg Planning Commission, acting upon a request by the Christiansburg Town Council to study a request made by Heath B. Haug for a Conditional Use Permit (CUP) for a major home occupation for firearms sales at 1477 Scott Street (tax parcel 529 – ((32)) – 10) in the R-3 Multi-Family Residential District, has found following a duly advertised Joint Public Hearing with Council that the public necessity, convenience, general welfare and good zoning practices (~~permit / do not permit~~) the issuance of a CUP to Heath B. Haug for a Conditional Use Permit (CUP) for a major home occupation for firearms sales at 1477 Scott Street.

THEREFORE be it resolved that the Christiansburg Planning Commission (~~not recommend~~ **recommends** / ~~does not recommend~~) that the Christiansburg Town Council approve the Conditional Use Permit with the following condition(s):

1) All firearms and ammunition shall be stored within a secured safe.

2) *large orders will be shipped direct to agency*

3) *trade-ins of 5 or more will be kept by purchaser until re-sale*
Dated this the 19th day of December 2006.

4) *NO weapons ~~and~~ Ammo delivery will be left outside*

5) *CUP will be reviewed by
P.C. 12 mos. from approval*

Steven C. Simmons
Steven C. Simmons, Chairperson
Christiansburg Planning Commission

The above Resolution was adopted on motion by Booth seconded by Poff at a meeting of the Planning Commission following the posting of a public hearing notice upon the property and a duly advertised Joint Public Hearing on the above request on December 19, 2006. Upon a call for an aye and nay vote on the foregoing resolution, the Commission members present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

<u>MEMBERS</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Wayne E. Booth	✓			
Ann H. Carter	✓			
Robert L. Dobson	✓			✓
Craig Moore	✓			
Bob Poff	✓			
Steven C. Simmons, Chairperson				✓
James "Jim" Vanhoozier, Vice-Chair	✓			

Steven C. Simmons
Steven C. Simmons, Chairperson

R. Lance Terpening
R. Lance Terpening, Secretary Non-voting

To: Town of Christiansburg
Town Council & Planning Commission
100 East Main Street
Christiansburg, VA 24073
Attention: Barry D. Helms

May 29, 2015

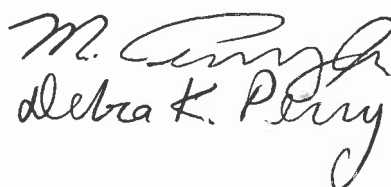
Dear Council Members,

We are writing to request that you deny any zoning changes or Conditional Use Permits to allow businesses to operate in the Belmont Farms Subdivision. We have resided on Cheverly Road for 13 years. By allowing a business to open on 185 Central Drive, we will be affected by the Council's decision. Our road directly leads to this property. We do not want increased traffic on our road. But there are even more reasons why you should deny the Conditional Use Permit sought by James C Dobbins:

- Belmont Farms is zoned R-1, Single Family Residential District.
- Residents select this subdivision because they want to live in a neighborhood free from the traffic, parking, and potential rise in crime often brought by businesses. Since this permit is for firearms sales, safety and increased crime is of concern.
- Belmont Farms is unique, a closed subdivision with 1960's style homes, well cared for with many original homeowners, such as Jim Van Hoosier, residing here. It would make a great gated community.
- This neighborhood has:
 - A neighborhood watch and an open relationship with the local PD to prevent crime.
 - Streets that have careful car drivers who drive slowly because ONLY residents and their family/friends drive on our streets. This is a closed subdivision. Because of this we can
 - Walk our dogs or stroll with a baby buggy,
 - Ride a bicycle or tricycle with our children,
 - Jog or walk at any time for health,
 - Casually stroll, visiting with neighbors on front porches.
- Belmont Farms is a close knit neighborhood; we know and care for each other. We have a Pig Roast every fall. We protect the value of our properties by caring for buildings and lands with beautiful landscaping and trees. There is no homeowner in Belmont Farms who rationally believes this type of business operating here would be good for our neighborhood.

We strongly ask you to deny this Conditional Use Permit as it is not defined to be used as a Single Family Residence. This decision will increase traffic on our street, the street where our children and grandchildren ride their bikes and our octogenarians walk daily for exercise. Please consider our request in this matter. We can be reached at 540-381-6903 or 540-239-8340. Thank you very much for your support.

Myrle S. Perry, Jr.
Debra K. Perry
295 Cheverly Rd.
Christiansburg, VA 24073

A handwritten signature in black ink that reads "Debra K. Perry". The signature is written in a cursive, flowing style with a large, stylized "D" and "P".



Gretchen Ninestein <g9stein@gmail.com>

FW: {BelmontFarmsNW} Permit application

1 message

Ellen Rorrer <erorrer@warmhearth.org>

Mon, Jun 1, 2015 at 8:06 AM

To: "g9stein@gmail.com" <g9stein@gmail.com>

Gretchen,

Thank you for bring this to our attention!

Dear Council members,

My name is Ellen Rorrer and I have been a resident of Belmont Farms for over 19 years. The thriving neighborhood of Belmont Farms is comprised of both seniors and young families that have moved to this neighborhood as it has traditionally been a safe neighborhood with very low crime rate. We do have other locations within a few miles away that are in the Montgomery Co line that cannot say the same. We have an active neighborhood watch and have planned events and socials in our neighborhood.

Belmont Farms is a residential neighborhood and needs to stay zoned as residential . Our neighborhood does not need the additional traffic that this change of zone will cause. Our neighborhood has no sidewalks and we often have kids along the street line, bike riding, pet owners walking, etc.

Having a Firearms selling business in the neighborhood is putting neighbors at risk and bringing unwanted additional traffic to the neighborhood.

I respectfully request that you deny the request.

Thank you for your time,

Ellen Rorrer

Ellen L. Rorrer

205 Walnut Drive

Christiansburg, VA 24073

Google Groups

Re: {BelmontFarmsNW} Update Permit application

kenem51

May 31, 2015 9:28 PM

Posted in group: **BelmontFarmsNW**

Dear Gretchen,

I don't know if my vote counts but I certainly am against Mr. James C. Dobbins' application for the sale of firearms. I cannot attend the meeting.

Emma Doughton
5 Crescent Drive

On Sun, May 31, 2015 at 7:08 PM, Gretchen Ninestein <g9s...@gmail.com> wrote:

Please see the following web address....click on the 4th menu down "agendas and minutes" and then "June 1". This is the complete application packet including a previous application that was approved in another neighborhood in 2006....hopefully the approval was just because neighbors weren't paying attention. Notice council members who approved include Jim Van Houser

<http://www.christiansburg.org/Archive.aspx>

Thank you to Ann Hess for researching this info and sharing...

Gretchen Ninestein

On Sat, May 30, 2015 at 3:15 PM, Gretchen Ninestein <g9s...@gmail.com> wrote:

Urgent Permit Application follow-up: Here is the link to the Town Council website. Scroll to bottom of page to see council member links. <http://christiansburg.org/Index.aspx?NID=175>

Also, here are the individual email addresses for each our council members:

mba...@christiansburg.org
sbi...@christiansburg.org
atto...@cordhall.com
shup...@christiansburg.org
hshow...@christiansburg.org
bst...@christiansburg.org
jvanh...@christiansburg.org

Gretchen Ninestein

On Sat, May 30, 2015 at 2:48 PM, Gretchen Ninestein <g9s...@gmail.com> wrote:

URGENT: Please be advised that a neighbor on S. Central has filed a permit application to



Gretchen Ninestein <g9stein@gmail.com>

Re: {BelmontFarmsNW} Update Permit application

Carolyn Sowers <csowers@vt.edu>

Mon, Jun 1, 2015 at 5:46 PM

Reply-To: belmontfarmsnw@googlegroups.com

To: "belmontfarmsnw@googlegroups.com" <belmontfarmsnw@googlegroups.com>

Gretchen,

Please note that my husband and I strongly oppose the approval of this conditional use permit in our neighborhood. We are unable to attend due to funeral visitation of a family member.

Thank you,

Carolyn K. Sowers

390 Cheverly Road

On Sunday, May 31, 2015, Gretchen Ninestein <g9stein@gmail.com> wrote:

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Also, here are the individual email addresses for each our council members:

mbarber@christiansburg.org

sbishop@christiansburg.org

attorney@cordhall.com

shuppert@christiansburg.org

hshowalter@christiansburg.org

bstipes@christiansburg.org

jvanhoozier@christiansburg.org

Gretchen Ninestein

On Sat, May 30, 2015 at 2:48 PM, Gretchen Ninestein <g9stein@gmail.com> wrote:

URGENT: Please be advised that a neighbor on S. Central has filed a permit application to operate a retail business selling firearms. Our neighborhood is zoned residential, so if you would like to keep it

I am vehemently opposed to the request of a retail establishment in Belmont Farms subdivision. I am not opposed because of what is to be sold...I am an advocate of and believe 100% in our 2nd Amendment right, however the idea of any retail establishment in a residential area is not acceptable to me. It is a very slippery slope that would allow for others to do the same...where will it end? Our neighborhood is one of the best, if not THE best, in the town of Christiansburg. It is very peaceful and safe for our children to ride bikes and walk our dog through. I am concerned of the traffic issues as well as others following suit. There are plenty of retail spaces available to rent for business use throughout Christiansburg. Thank you for your time.

Respectfully,

Carol Slaughter
90 Alta Ct.
Christiansburg, VA

Missy Martin

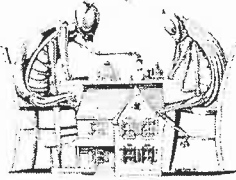
From: Nichole Hair
Sent: Tuesday, May 26, 2015 6:56 PM
To: Missy Martin
Subject: FW: James C. Dobbins request for firearms sales from his residence.

Please print for file. Make enough copies for each commissioner and 1 for public copy.
Thank you!

Nichole Hair, CZA
Planning Director/Zoning Administrator
100 East Main Street
Christiansburg VA 24073
(540) 382-6120 X 1130
nhair@christiansburg.org
www.Christiansburg.org

From: Lawrence, Brian K
Sent: 5/26/2015 6:05 PM
To: Nichole Hair
Subject: James C. Dobbins request for firearms sales from his residence.

I am sending this in regards to James C. Dobbins firearms sales request through the planning commission. He has every right to be able to sale firearms on his property. His rights should not be infringed upon.



William H Robinson

155 South Central Drive Christiansburg, VA 24073

Phone: 540 382 9238 E-mail: upcrc@upcrc.com

May 26, 2015

Town of Christiansburg
Town Council and Planning Commission
100 East Main Street, Christiansburg VA 24073

Re: Conditional Use Permit request for firearms sales at 185 South Central Drive, NW, Christiansburg, Virginia

Mr. Helm:

We are opposed to the Christiansburg Planning Commission granting the request by J.C. Dobbins for firearms sale at the 185 South Central Drive, NW Christiansburg location.

This is a Single Family Residential District and selling firearms is not consistent with this zoning and the long-term value of the R-1 District. Selling anything from homes in this District, let alone firearms, should not be permitted.

Our house is two-doors away from the 185 South Central Drive location, and we have a direct concern for any commercial changes to this location.



William H Robinson



Carol K. Robinson

To: Town Council & Planning Commission

Regarding: CUP for major home occupation for firearms sales, 185 South Central Drive

As an adjoining property owner to the residence on 185 South Central Drive and lifelong resident of the town of Christiansburg, I would like to respectfully oppose the proposition of allowing a permit to sell firearms in the Belmont community.

I purchased my home at 170 South Central Drive approximately six years ago. Part of the charm of this particular residence was that it was in a mature sub division of Christiansburg where each house was not a "cookie cutter" of the other homes in the neighborhood. It provided me ample opportunity to improve the property value by making extensive interior and exterior improvements, which I estimate I have spent roughly 25,000 in total improvements. However, the biggest draw was the fact that it was in a cul-de-sac with limited traffic and a two acre tract and with no rear neighbors in sight. To be in town, it is remarkably peaceful and quiet.

Below are the primary reasons for concerns, regarding this permit request:

1. Traffic

I have concerns that there will be a significant increase in traffic throughout the subdivision, specifically on South Central Drive. Increased traffic will compromise overall safety and security of the neighborhood.

2. Parking

I have concerns about parking along the road and in front of my house. Due to the configuration of the property on 185 South Central, there is very little road frontage in from of this particular residence.

3. Real Estate Value

I have worked extremely hard to improve my property over the last six years and believe that the addition of a small business next door will compromise all that work. I personally would be extremely deterred if I were purchasing a home with a small business next door.

4. Signage

Road side/Residence signage (if there were to be any), would be less than desirable.

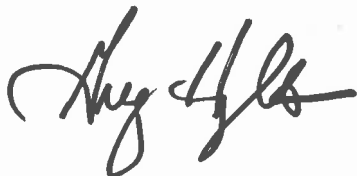
5. Firearm Testing/Discharge & Clientele

There are concerns that provisions may be given to test firearms within the property boundaries.

Since the Dobbins family has moved into the neighborhood, roughly 3-4 months ago, they have been very good neighbors. They have worked towards improving their property and have been neighborly in the traditional sense. However, I just cannot support this request at this time.

Respectfully,

Greg Hylton, 170 South Central Drive Christiansburg, 540.230.9824



June 1, 2015

Town Council + Planning Commission

Please deny the conditional use permit for a home occupation firearms sale at 185 South Centre Dr, NW, Christiansburg, VA.

Belmont Farms where this address is located is a family neighborhood. This business would be inappropriate for firearms sales at this address. The traffic increase would not be safe for children or residents.

Sincerely, Deborah Appelquist
Deborah Appelquist
45 South Centre Dr
Christiansburg
VA

Nichole Hair

From: Gilbert.E.Atkins@usdoj.gov
Sent: Monday, June 15, 2015 2:27 PM
To: Nichole Hair
Cc: Nicholas.E.O'Leary@usdoj.gov
Subject: RE: questions

Good afternoon Nichole. I discussed these questions with my supervisor and we came up with the answers to most. Hope this helps. I have copied and pasted the questions you submitted below, with my answers in blue. Let me know if I can help you with anything else, Eddie.

Provide pros and cons of having this at a home.

ATF allows home occupation as long as the applicant has a valid business premises that complies with local zoning. The requirements of each Federal Firearms Licensee (FFL) are the same, regardless if they operate at their residence or a commercial location.

Does ATF perform periodic inspections?

Yes. By law ATF can inspect Federal Firearms Dealers once a year.

Does ATF audit the paperwork? If yes, how often?

Yes the Acquisition and Disposition (A&D) books, ATF Forms 4473's, and other paperwork required under Federal Law are audited during each inspection.

Does ATF have experience with "businesses" set up in residential area? If yes, does ATF have any concerns or suggestions?

Yes, ATF will issue a license if the person meets the requirements set forth under Federal Law, such as having a business premises and meeting local zoning ordinances (see above).

If any, for what type of method does ATF require firearms to be secured that are associated with a transaction requiring an FFL?

By law, secure gun storage and safety devices must be made available by the FFL to any purchaser (non-FFL) of a handgun, unless those devices are temporarily unavailable.

Does ATF provide any best management practices, guidance, or recommendations to FFL holders? If yes, is this information available to the Town of Christiansburg?

Yes, before an FFL is issued, an ATF Investigator meets with the applicant and provides guidance on the requirements of a Federal Firearms Licensee. Many helpful handouts are located at <https://www.atf.gov/content/library/firearms-publications-library>

With a Federal Firearms License (FFL) what types of transactions are only allowed to take place at the address (place of business) listed on the FFL and what types of transactions do not have to take place at that address?

All firearms transfers must take place at the licensed premises, with very few exceptions. The most common exception is a recognized gun show that the Virginia State Police has approved.

What are the minimum safety and security requirements for firearms and for ammunition kept at the address (place of business) on the FFL?

Under Federal law are no minimum requirements, although a large portion of FFL's utilize firearms safes/alarm systems/etc.

If you have a current FFL and move, how easy is it to change the address (place of business) listed on the FFL?

An amended application form (ATF Form 5300.38) is completed and sent to the Federal Firearms Licensing Center at least 30 days prior to move. This form is forwarded to the local ATF office. We will always check with zoning in the new location to see if the move is permissible.

Is there a minimum level of activity you must perform in order to keep renewing your FFL every 3 years or can you do nothing and still renew your license every 3 years by paying the \$90 fee?

The Federal law states that you must be licensed as a Federal Firearms Dealer when you are "engaged in the business" of dealing firearms. There is no minimum amount of activity spelled out in the law.

How many FFL's are currently active in Montgomery County including the towns of Blacksburg and Christiansburg?

You can find all active licensee's in VA at the following site <https://www.atf.gov/content/firearms/firearms-industry/listing-FFLs>.

The Excel spreadsheet can be sorted by county/city/etc. A quick search appears to show 21 current FFL's located in Montgomery County, which includes Blacksburg and Christiansburg. These FFL's are type 01 (dealer of firearms), type 02 (pawnbroker), 06 (manufacturer of ammunition) and 07 (manufacturer of firearms).

Eddie Atkins-Area Supervisor
ATF Roanoke II (IO)
310 First Street SW, Suite 500
Roanoke, VA 24011
OFFICE: (540) 983-6940
CELL PHONE: (540) 204-6034
FAX: (540) 983-6976
gilbert.atkins@atf.gov



From Chapter 42 “ZONING” of the Christiansburg Town Code

ARTICLE I. IN GENERAL

Sec. 42-1. Definitions.

Home occupation means any occupation, profession or enterprise conducted by one or more members of a family residing on the premises which is incidental and secondary to the use of the premises for dwelling purposes, provided that not more than one person other than a family member of the resident family is employed on the premises. Home occupations would include any activity for remuneration and would include, but would not be limited to, activities such as the keeping of files, sending and receipt of mail, accounting and filing of taxes associated with the activity associated with remuneration. See section 42-8 for conditional use permit requirements. When within this requirement, a home occupation includes, but is not limited to, the following:

- (1) Art or photography studio;
- (2) Dressmaking;
- (3) Professional office of a physician, therapist, dentist, minister, lawyer, engineer, architect, accountant, salesman or other similar occupation;
- (4) Typing, word processing or computer operation;
- (5) Teaching with musical or educational instruction limited to two pupils at a time;
- (6) Keeping of a single guestroom.

However, a home occupation shall not be interpreted to include the conduct of beauty parlors, barbershops, nursing homes, convalescent homes, rest homes, antique or craft resale, restaurants, tearooms, tourist homes, fortunetellers or similar establishments.

An application to conduct all home occupations shall be filed with the town manager/zoning administrator on forms provided by the town manager/zoning administrator. Business licenses are required in accordance with Chapter 18, Finance and Taxation. Such licenses shall be revocable by the town manager/zoning administrator for violations of this section and other applicable sections of this Code. Home occupations shall be classified as either a minor home occupation or a major home occupation.

Home occupation, major. Major home occupations shall consist of all home occupations other than minor home occupations, as defined herein. Major home occupations shall require a conditional use permit pursuant to section 42-8.

Home occupation, minor. A minor home occupation means a residential enterprise where no sales take place whereby property is transferred on-premises from one person to another, or others, for a consideration of value except for products fabricated or manufactured on the residential site, where no hazardous materials are stored or utilized, where on-street parking in conjunction with such operation is confined to the street frontage of the host lot, where no outside indication exists that a business enterprise is conducted on the premises, where there is no group instruction, assembly or activity, and where no more than one utility truck, not exceeding one ton, and one utility trailer associated with the business is stored. In cases where more than one home occupation is located at a residence, no more than one utility truck, not exceeding one ton, and one utility trailer shall be allowed combined between all home occupations at the residence in order to be eligible as a minor home occupation.

Sec. 42-8. Conditional Use Permits.

- (a) Where so stated by this chapter, the location of permitted uses shall require, in addition to the zoning permit and certificate of occupancy, a conditional use permit approved by the town council when authorized as herein after provided. A conditional use permit should be approved only if it is permitted as a conditional use in the district regulations and only if it is found that the location is appropriate and not in conflict with the comprehensive plan, that the public health, safety and general welfare will not be adversely affected, that adequate utilities and off-street parking facilities will be provided, and that necessary safeguards will be provided for the protection of surrounding property, persons and neighborhood values, and further provided that the additional standards of this chapter are complied with. In approving a conditional use permit the town council may impose such reasonable conditions as it believes necessary to accomplish the intent of this chapter. Unless otherwise specified in this chapter or specified as a condition of approval, the height limits, yard spaces, lot area and sign requirements shall be the same as for other uses in the district in which the proposed conditional use is located.
- (b) In determining the conditions to be imposed, the town council shall take into consideration the intent of this chapter and may impose reasonable conditions that: abate or restrict noise, smoke, dust or other elements that may affect surrounding property; establish setback requirements necessary for orderly expansion; prevent or alleviate traffic congestion; provide for adequate parking and ingress and egress to public streets or roads; provide adjoining property with a buffer or shield from view of the proposed use, if such use is considered to be detrimental to adjoining property; tend to prevent such use from changing the character and established pattern of development of the community.
- (c) Any use listed as requiring approval of a conditional use permit and which use legally exists at the effective date of the regulations of this chapter shall be considered a nonconforming use, unless it has been approved as a conditional use by the town council. Conditional use permits may be revoked by the town council, town manager or zoning administrator, if the conditions of such permit are not fulfilled. Nothing contained in this chapter shall be construed to compel the town council to issue a conditional use permit. Conditional use permits approved shall be subject to administrative review on an annual basis and to the following time limitations:
 - (1) Any conditional use permit granted shall be null and void 24 months after approval by the town council if the use or development authorized by the permit is not commenced to a degree that, in the opinion of the zoning administrator, clearly establishes the intent to utilize the granted conditional use permit in a time period deemed reasonable for the type and scope of improvements involved. The property owner, or applicant, may request that town council allow a 12-month extension beyond the 24 month period for an approved conditional use permit provided that the request is received, in writing, within at least 23 months of the conditional use permit approval.
 - (2) Activities or uses approved by a conditional use permit which are discontinued for a period of more than 24 consecutive months shall not be reestablished on the same property unless a new conditional use permit is issued in accord with this chapter.
- (d) The town council, town manager and zoning administrator are authorized to require supplemental conditional use permits if questions of compliance should arise regarding any provision of this chapter.
- (e) Conditional use permit application submissions shall include a traffic impact statement whenever a proposed conditional use permit substantially affects transportation on town streets through traffic generation of either:
 - (1) 100 vehicles trips per peak hour by residential development;
 - (2) 250 vehicles trips per peak hour by non-residential development; or

- (3) 2,500 vehicle trips per day by non-residential development.
- (f) The data and analysis contained in the traffic impact statement shall comply with Virginia Department of Transportation Traffic Impact Analysis Regulations 24 VAC 30-155-60 and all applicable town ordinances.

(Code 1972, § 30-8; Code 1992, §§ 30-1, 30-8; Ord. of 6-2-1998; Ord. of 4-20-1999; Ord. No. 2012-6, § 30-8, 6-19-2012; Ord. No. 2012-10, § 30-8, 11-20-2012)

Operating Type		Approved	Owner	Address		Business name/type	Approved by: Town Manager/Zoning Adminin/TC	
1	NO	Home Occ	1/9/2003	Slaughter, Stephen M.	90	Alta Ct., NE	CSSWEB	Town Manager
2	NO	CUP/Zoning	3/5/1996	Bolt, Martha H. T/A Bolt Enterprises	285	Cheverly Drive	Market distressed merchandise and file medical and dental insurance claims	Town Manager
3	NO	Home Occ	1/24/2011	Anderson, Robert E.	290	Cheverly Rd. NW	Anderson Courier Services	Zoning Administrator
4	YES	Home Occ	8/17/2012	Hylton, Jessica Lynn	360	Cheverly Rd. NW	Keepin it Clean	Zoning Administrator
			2/27/2012; 2/27/2008;					
5	YES	Home Occ	3/1/2011	Hylton, Chris	360	Cheverly Rd. NW	NRV Lawns & Landscaping Inc.	Zoning Administrator; Town Manager; Town Manager
6	NO	Home Occ	2/21/2012	McCormick-Goodhart, Tiffany	425	Cheverly Rd. NW	All Things Clean	Zoning Administrator
7	NO	Home Occ	2/17/2012	McCormick-Goodhart, Joshua	425	Cheverly Rd. NW	Goodhart's Remodeling	Zoning Administrator
8	YES	Home Occ	12/29/2011	Voden, Donna	480	Cheverly Rd. NW	Photography	Zoning Administrator
9	NO	Home Occ	3/9/2005	Stanley, Scott	10	Crescent Dr.	Stanley Gen. Contracting	Town Manager
10	YES	Home Occ	1/31/2000	Hess, Ann L.	70	Crescent Dr.	Studio Potter	Town Manager
11	NO	Home Occ	8/12/2005	Copeland, Lucy Page	95	Crescent Dr.	Tutoring for school students	Town Manager
12	ACTIVE E	Home Occ	11/17/2014	Stanley, Scott H.	5	S Dudley Drive	Stanley's (mobile mechanical repair)	Zoning Administrator
13	NO	Home Occ	3/1/2013	Faigle, Thomas S.	20	Dudley Dr.	NRV Business & Technology Solutions LLC	Asst.Town Manager
14	NO	CUP/Zoning	3/3/1998	Moore, Brenda S.	70	S Dudley Drive	Accounting bookwork	Town Council
15	NO	CUP/Zoning	5/1/2007	Mirlohi, J.S. and Susan	1140	Peppers Ferry Rd. NW	Safe Water, Inc.	Denied
16	NO	Home Occ	3/2/1994	Pomrenke, Karl Louis	15	South Central Dr. NW	Engineers Office	Town Manager
17	NO	Home Occ	3/23/1999	W.H. Robinson Consulting	155	South Central Dr. NW	W.H. Robinson Consulting	Town Manager
18	NO	Home Occ	1/20/2004	Lima, Pedro F.	175	South Central Dr. NW	Ped Car Services	Town Manager
19	NO	Home Occ	1/7/2002	Sumner, Marc A.	30	South Dudley Dr. NW	Sumner's Restoration	Town Manager
20	YES	Home Occ	9/17/1999	Morgan, Norman K.	140	Walnut Dr. NW	Metrology Services, Inc.	Town Manager
21	NO	Home Occ	11/1/2007	Nicely, Debra	185	Walnut Dr. NW	Cleaning business	Zoning Administrator
22	NO	Home Occ	4/8/2014	Altizer, Daniel Wade	215	Walnut Dr. NW	Garage Junkies Personal Training	Zoning Administrator
23	NO	Home Occ	6/29/1999	Campbell, Carol J.	240	Walnut Dr.	Home decorations	Town Manager

Nichole Hair

From: Phillip Townley
Sent: Monday, June 15, 2015 11:08 AM
To: Stephanie Turner; Nichole Hair; Mark Sisson
Subject: speeding and other traffic complaints

It's not much to work with but not all that unexpected due to the fact that these roads are short, residential, and difficult to setup on.

NUMBERS ARE SUMMONSES ISSUES FROM JAN 2014-PRESENT

Dudley Drive

2014	
SPEED	OTHER
0	0

2015	
SPEED	OTHER
0	0

Cheverly Drive

2014	
SPEED	OTHER
0	0

2015	
SPEED	OTHER
0	1

Walnut Drive

2014	
SPEED	OTHER
0	0

2015	
SPEED	OTHER
0	1

Greenway Drive

2014	
SPEED	OTHER
0	0

2015	
SPEED	OTHER
0	0

South Central Drive

2014	
SPEED	OTHER

0

0

2015
SPEED
0

OTHER
0

Linden Court

2014
SPEED
0

OTHER
0

2015
SPEED
0

OTHER
0

Thank you.

Nichole Hair, CZA
Planning Director/Zoning Administrator
100 East Main Street
Christiansburg, VA 24073
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nhair@christiansburg.org
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Resolution of the Town of Christiansburg Planning Commission

Conditional Use Permit Application

WHEREAS the Christiansburg Planning Commission, acting upon a request by the Christiansburg Town Council to study a request made by James C. Dobbins for a Conditional Use Permit (CUP) for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District, has found following a duly advertised Public Hearing that the public necessity, convenience, general welfare and good zoning practices (**permit / ~~do-not-permit~~**) the issuance of a CUP to James C. Dobbins for a Conditional Use Permit (CUP) for a major home occupation for firearms sales at 185 South Central Drive, N.W.

THEREFORE be it resolved that the Christiansburg Planning Commission (**recommends / ~~does not recommend~~**) that the Christiansburg Town Council approve the Conditional Use Permit with the following condition(s):

- 1) No more than 3 12 transactions shall be processed during a 12 month period.
- 2) Security lighting shall be maintained on the property.
- 3) No ammunition shall be sold with a firearm transaction.
- 4) All firearms shall be stored within a secured location.
- 5) This permit shall be subject to review by the Planning Commission in one year.

Dated this the 15th day of June 2015.

Craig Moore, Chairperson
Christiansburg Planning Commission

The above Resolution was adopted on motion by Commissioner Huppert seconded by Commissioner Beasley at a meeting of the Planning Commission following the posting of a public hearing notice upon the property and a duly advertised Public Hearing on the above request on June 1, 2015. Upon a call for an aye and nay vote on the foregoing resolution, the Commission members present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

<u>MEMBERS</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Matthew J. Beasley	X			
Ann H. Carter	X			
Harry Collins	X			
David Franusich	X			
Steve Huppert	X			
Hil Johnson	X			
T.L. Newell		X		
Virginia Peeples	X			
Craig Moore, Chairperson	X			
Joe Powers, Vice-Chairperson		X		
Jennifer D. Sowers	X			

Craig Moore, Chairperson

Nichole Hair, Secretary ^{Non-voting}

**Christiansburg Planning Commission
Minutes of June 1, 2015**

Present: Matthew J. Beasley
Ann Carter
Harry Collins
Hil Johnson
Steve Huppert
T.L. Newell
Virginia Peeples
Joe Powers
Craig Moore, Chairperson
Jennifer D. Sowers, Vice-Chairperson
Nichole Hair, Secretary ^{Non-Voting}

Absent: David Franusich

Staff/Visitors: Sara Morgan, staff
Missy Martin, staff
Tabitha Proffitt, staff
James C. Dobbins, 185 South Central Drive
Ann Hess, 70 Crescent Drive
Phil Howell, 280 Cheverly Road
Milko Maykowskyj, 480 Cheverly Road
Will Applequist, 45 South Central Drive
John Barnett, 125 South Central Drive
Ann Sandbrook, 170 Greenway Drive
Martin Chapman, 165 Greenway Drive
Jason Calvert, 490 Cheverly Road
Gretchen Ninestein, 155 Greenway Drive
Joe Walker, 75 Crescent Drive
Jim Angle, 60 South Central Drive
Deb Perry, 295 Cheverly Road

Chairperson Moore called the meeting to order at 7:00 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia.

Public Comment.

Chairperson Moore opened the floor for public comment. Hearing no public comments, Chairperson Moore closed the floor for public comment.

Approval of meeting minutes for May 4, 2015.

Chairperson Moore introduced the discussion. Commissioner Collins made a motion to approve the Planning Commission meeting minutes. Commissioner Beasley seconded the motion, which passed 9-0. Commissioner Johnson abstained, as he was not present at the last meeting.

Planning Commission public hearing on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District.

Chairperson Moore introduced the request. Mr. Dobbins addressed the Planning Commission. Mr. Dobbins stated he has been a licensed federal firearms dealer for 15 years. Mr. Dobbins added he does not do enough business to warrant a storefront because there is not a lot of traffic. Mr. Dobbins stated he handles orders for collectors, transfers, and is a shipping point. Mr. Dobbins explained the law for shipping firearms. Mr. Dobbins stated his business is common for inherited firearms as well as those changing states. Mr. Dobbins added he does not have inventory and the firearms that he does have are kept under lock and key. Mr. Dobbins stated there are times when he does need to store a gun.

Mr. Dobbins reiterated this is a small business and customers will not be hanging around. Mr. Dobbins stated the ATF requires firearms salesman to have a business address. Mr. Dobbins added firearms salesman are not permitted to travel to the customer's home and business is to be conducted at his address. Mr. Dobbins stated this is a side business/hobby for him because he works full-time at Hubble. Mr. Dobbins added the home occupation process was not required when he lived in Montgomery County. Mr. Dobbins explained it is not a high volume business and will likely, not be noticed in the neighborhood. Mr. Dobbins added he does not believe his home occupation will lower the property value of their home because hoodlums will not be coming to his property. Mr. Dobbins stated he has four children at home from the ages 6 to 15 years old. Mr. Dobbins added his children and neighborhood children will not have access to firearms arms. Mr. Dobbins stated firearms will only be accessible to Mr. and Mrs. Dobbins and the customer.

Chairperson Moore opened the floor for additional public comment. Ms. Ann Hess, 70 Crescent Drive, stated she appreciates the CUP process. Ms. Hess stated Belmont Farms is a self-contained neighborhood. Ms. Hess added she has been in her home since 1967. Ms. Hess stated the neighborhood has been entirely residential and is designated as residential on the Future Land Use Map. Ms. Hess added the business will not be benefiting the neighborhood. Ms. Hess stated a similar request that was approved on Scott Street is not similar to Belmont Farms. Ms. Hess stated firearms sales are not appropriate for Belmont Farms. Ms. Hess stated a CUP request for a water testing lab was denied because it was not appropriate for the neighborhood and she asked this request be denied too. Ms. Hess asked those in attendance to stand if they agree with her statement. Those who stood gave their name and address to Ms. Hair. 21 people stood in support.

1. Douglas Smith, 155 Greenway Drive
2. Greg Hilton, 170 South Central Drive
3. Deb Perry, 295 Cheverly Road
4. Phillip Howell, 280 Cheverly Road
5. Cindy Barden, 60 Crescent Drive
6. Shirley Cline, 60 Crescent Drive
7. John Tuttle, 40 Sapphire Avenue

Planning Commission public hearing on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District (continued).

8. Mason Walker, 25 South Central Drive
9. Katherine Williams, 10 Crescent Drive
10. Irene Dowdy, 85 Crescent Drive
11. Doug Morgan, 10 South Dudley
12. Joyce Morgan, 10 South Dudley
13. Sharon Angle, 60 South Central Drive
14. Jim Angle, 60 South Central Drive
15. William Applequist, 45 South Central Drive
16. Gail Holzer, 65 South Central Drive
17. Siegfried Holzer, 65 South Central Drive
18. John Barnett, 125 South Central Drive
19. Debbie Doug, Merrimac
20. Ruth Nunley, 150 South Central
21. Morgan Allen, 80 Linden Court

Phil Howell, 280 Cheverly Road, stated he has been a resident of Belmont Farms for 51 years. Mr. Howell state his main concern is for the young children that play along and in the road. Mr. Howell added there is an active neighborhood watch program within the neighborhood that focuses on the safety of the children. Mr. Howell stated he does not believe strangers coming and going will be appropriate for the neighborhood. Mr. Howell added this business would not be appropriate for the neighborhood. Mr. Howell stated there are older and younger families within the neighborhood concerned about the Conditional Use Permit request. Mr. Howell requested the Planning Commissioners to think about this request as if it would be in their neighborhood.

Milko Maykowskyj, 480 Cheverly Road, stated he objects to the Conditional Use Permit because of the retail aspect. Mr. Maykowskyj stated he would like to see a condition for speed bumps be in place as well as signage for traffic. Mr. Maykowskj added he is concerned about the storage of ammunition. Mr. Maykowskj stated the applicant told him privately, that he does not store ammunition. Mr. Maykowskj added would like his neighbors to consider Mr. Dobbins home occupation as a hobby; however, he does not think a retail use is appropriate when the land is zoned R-1 Single Family Residential.

Will Applequist, 45 South Central Drive, stated he objects to the Conditional Use Permit because the neighborhood should be kept residential. Mr. Applequist stated he is not opposed to business or guns; however, he would like to keep the neighborhood a residential area. Mr. Applequist added he has been a resident since 1988.

Planning Commission public hearing on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District (continued).

John Barnett, 125 South Central Drive, stated he is opposed because it is near his home. Mr. Barnett stated the Planning and Zoning Department enforced removing his neighbor's chickens and the chickens did not bother Mr. Barnett as it was not a business. Mr. Barnett stated he does not like the firearms dealer in the neighborhood because there are no assurances the traffic will not pick up and the residents will be safe. Mr. Barnett stated he has been a resident of the neighborhood for 43 years.

Ann Sandbrook, 170 Greenway Drive, inquired about how the transactions will be handled, about delivery trucks, any future plans for an onsite range, about the quantity restrictions, about the limit of sales to customers, about ammunition restrictions, and about home security/storage. Ms. Sandbrook added increased traffic could bring extra traffic to the neighborhood. Ms. Sandbrook stated she does not feel the neighborhood could handle increased traffic because there is a lot of foot traffic. Ms. Sandbrook added she has concerns about security because there is a threat of break-ins. Ms. Sandbrook stated the approved home occupation for firearm sales on Scott Street was different because of the number of police officers living in that neighborhood.

Martin Chapman, 165 Greenway Drive, stated he agrees with his neighbors and does not understand why a meeting is being held as the property is zoned R-1 Single Family Residential. Mr. Chapman stated there are only two entrances to the neighborhood and this is a concern for traffic.

Jason Calvert, 490 Cheverly Road, stated he is an avid supporter of guns. Mr. Calvert stated he believes Cheverly Road has a speeding problem at present time. Mr. Calvert stated he does not see the need for increased traffic. Mr. Calvert added the cul-de-sac is poorly lit and he would like to see increased lighting because this would be a safety concern. Mr. Calvert stated he has lived in the neighborhood for 10 years because it is R-1 Single Family Residential. Mr. Calvert added the neighborhood is a quiet neighborhood aside from some traffic. Mr. Calvert stated there is a potential for increased customers. Mr. Calvert added he believes there are other properties within the town that would be appropriate for this kind of business. Mr. Calvert added the alarm system on the safe should alert officials of any problems.

Gretchen Ninestein, 155 Greenway Drive, presented five opposition letters/emails from neighbors that could not attend the meeting.

Planning Commission public hearing on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District (continued).

Joe Walker, Pastor of New River Valley Biker Church, 75 Crescent Drive, stated has known Mr. Dobbins his whole life and does not feel Mr. Dobbins would lie to anyone. Mr. Walker added he does not oppose guns but believes the Planning Commission should require a security system and street lighting by the applicant. Mr. Walker stated traffic is of concern as he has five grandchildren. Mr. Walker added speed signs and speed bumps could improve this. Mr. Walker stated he would like to keep the home occupation as a hobby not a storefront business. Mr. Walker stated the neighbors chose to live there because it is R-1.

Reverend/Doctor Jim Angle, has a church parsonage at 60 South Central Drive. Dr. Angle stated this is a radical departure from the current state of the neighborhood. Dr. Angle spoke about the foot traffic of the neighborhood. Dr. Angle stated has lived in the neighborhood since 1993 and the preservation of his neighborhood is important. Dr. Angle stated there is a lot of uncertainty to this Conditional Use Permit request because the request is a business venture not recreational.

Deb Perry, 295 Cheverly Road, detailed the location of her property. Ms. Perry stated she is out walking at 6pm every night and sees the UPS trucks. Ms. Perry stated she would like the Planning Commission to deny the request.

Chairperson Moore closed the public hearing.

Chairperson Moore opened the floor for the Planning Commissioners to discuss. Chairperson Moore requested Mr. Dobbins to come forward. Commissioner Powers inquired if the license limits the amount of firearms or ammunition Mr. Dobbins may have. Mr. Dobbins stated he does not believe there is a limit. Mr. Dobbins added he does not have the volume to determine if there is a limit. Mr. Dobbins stated he does not carry the ammunition unless it is something that a customer could not find. Mr. Dobbins added the ammunition is considered a hazardous material for shipping and has a hazardous fee associated with shipping. Mr. Dobbins stated it is not in his interest to sell ammunition due to the cost of shipping. Mr. Dobbins stated he believes QVC buyers in his neighborhood have more deliveries than he would. Mr. Dobbins added he has delivers once or twice a month. Mr. Dobbins added he does not advertise his business.

Commissioner Collins requested Mr. Dobbins clarify his experience and what he is proposing. Mr. Dobbins stated he has been in business for 15 years. Commissioner Collins inquired how many delivers Mr. Dobbins has a week. Mr. Dobbins stated he believes the most would be once a month and that would be rare. Mr. Dobbins stated this has always been a hobby for him and he wants to continue to have his license. Commissioner Carter inquired to the number of guns Mr. Dobbins has sold in a years' time. Mr. Dobbins stated he has not done business for the last 1-2 years. He has sold 3 guns year and performed 2 transfers during a years' time.

Planning Commission public hearing on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District (continued).

Commissioner Collins inquired as to why Mr. Dobbins is going through this process for three transactions a year. Mr. Dobbins stated he wants to keep the license because he uses it occasionally. Commissioner Collins inquired if Mr. Dobbins is able to keep his license if he does not sell anything. Mr. Dobbins stated he may. Mr. Dobbins stated he moved to the neighborhood for the same reason as his neighbors. Mr. Dobbins added this is a hobby for him.

Commissioner Powers inquired about the business address of the current license. Mr. Dobbins stated the license renewal is every 2 years and is prompting this Conditional Use Permit request. Mr. Dobbins' stated his former home in Ellett Valley is the current business address for his license. Mr. Dobbins stated he no longer owns that property and the business address needs to change.

Commissioner Powers inquired about the security of the guns at Mr. Dobbins' current location. Mr. Dobbins stated he does not have a safe because he does not store guns. Mr. Dobbins stated there are 1-2 guns in his home at a time. Mr. Dobbins added at his current residence he has a secure closet that could be used. Mr. Dobbins stated there is no security system installed at his residence. Mr. Dobbins added he is not opposed to putting one in but there is nothing stored on the property. Mr. Dobbins stated he operates on a custom order basis. Mr. Dobbins added he does not want to hold on to the merchandise for very long.

Commissioner Collins asked how often Mr. Dobbins' customers order a firearm and ammunition together. Mr. Dobbins stated he does not sell firearms and ammunition in the same order. Mr. Dobbins stated most firearms dealers operate the same way because this is a safety concern. Mr. Dobbins added he does not sell ammunition because it is not worth the cost and the price becomes unreasonable. Mr. Dobbins stated he believes he has sold 3 boxes of ammunition in the 15 years he has had a license. Mr. Dobbins added these orders were ammunition that the customer could not find.

Commissioner Huppert asked Mr. Dobbins to review the process of buying a gun through him. Mr. Dobbins stated he would ask how Mr. Huppert was informed of his business because straw purchases are a concern for him (buying for someone else). Mr. Dobbins would then ask Mr. Huppert what type of gun he would like to purchase. Mr. Huppert inquired if there is a catalog to look through. Mr. Dobbins stated there is a catalog and most of the people he has dealt with have given him sales flyers. Mr. Dobbins added most of the information can be found online. Mr. Dobbins stated he has not had anyone just come to his door to buy a gun.

Planning Commission public hearing on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District (continued).

Chairperson Moore asked Mr. Dobbins if State and Federal forms are filled out. Mr. Dobbins stated he runs a criminal background check with two forms of identification. Mr. Dobbins added there has been only one instance when there was not an instant approval. Mr. Dobbins stated when this happens there is a follow-up in 24 hours. Mr. Dobbins stated for an inheritance situation, the paperwork needs to be filled out in person. Mr. Dobbins added all firearm sales must be registered. Mr. Dobbins stated neighbors could sell guns with a cash transaction but he doesn't recommend that without changing the registration. Mr. Dobbins added he handles the registration process.

Mr. Dobbins stated the Federal form is kept by Mr. Dobbins. Mr. Dobbins stated the State form is a three part form and one part is sent to West Virginia (\$2 fee) to the regional ATF office. Commissioner Huppert asked how Mr. Dobbins feels about restricting the number of transactions. Mr. Dobbins stated he is not opposed to a limit. Mr. Dobbins stated he is happy with two to three transactions a year, to pay for the license.

Chairperson Moore asked about ATF regulations. Mr. Dobbins explained the ATF regulations require him to have an address tied to his business. Mr. Dobbins stated he has a tax ID and is required to have a business license.

Commissioner Beasley stated he lives in the neighborhood and has children that utilize the neighborhood. He asked Mr. Dobbins to bring a record of his sales in the past 5 years. Mr. Dobbins stated he would.

Commissioner Collins asked if Mr. Dobbins would sell Commissioner Collins' gun. Mr. Dobbins stated he would not because it is not necessary. Mr. Dobbins added the only person that needs a dealer is the person that buys a gun due to shipping restrictions and transferring the gun.

Commissioner Collins stated he is concerned about the safety of those living in the neighborhood. Mr. Collins added there is enough that could happen without putting this in the neighborhood. Commissioner Collins asked Mr. Dobbins to assure him of the safety. Mr. Dobbins stated he would not put his children in harm's way. Mr. Dobbins stated he moved to the neighborhood for the same reasons his neighbors have. Mr. Dobbins stated he does not want make his neighbors feel uneasy.

Commissioner Beasley asked how long Mr. Dobbins has lived at this residence. Mr. Dobbins stated he moved into the home in September.

Planning Commission public hearing on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District (continued).

Commissioner Newell stated she is struggling with the home occupation application that was submitted. Commissioner Newell stated she does not understand how this is a hobby and why Mr. Dobbins cannot be associated with an established firearms salesman. Mr. Dobbins asked for clarification on the question. Mr. Dobbins added businesses are in competition with one another, so he could not operate out of another dealer's location. Mr. Dobbins stated he is not trying to do that much business. Mr. Dobbins stated he does not intend to build up the business.

Commissioner Newell requested Mr. Dobbins clarify how this is a hobby. Mr. Dobbins stated at one time the hobby was going to gun shows, but that is no longer part of the business as he does not keep an inventory. Mr. Dobbins stated he has always been a firearms enthusiast. Mr. Dobbins sees it as a hobby even though it is required to be a business license. Mr. Dobbins stated he does not want it to be a large business. Mr. Dobbins added he can have the license and not sell anything. Mr. Dobbins stated he needs an address associated with the business to have a license. Mr. Dobbins stated the address is where any firearm would be sent.

Commissioner Beasley asked if these transactions are of unique or rare weapons. Mr. Dobbins indicated that is the case. Mr. Dobbins described the commemorative Montgomery County gun sales from years ago. Mr. Dobbins added he does not do run of the mill sales that one can purchase at WalMart or Dick's Sporting Goods.

Commissioner Johnson asked why he waited this long for the Conditional Use Permit request. Mr. Dobbins explained the Conditional Use Permit request fee (\$750) was the reason. Mr. Dobbins added he had to borrow part of the money to pay the public hearing fee.

Chairperson Moore asked if Mr. Dobbins lost any sales while his business address is not valid. Mr. Dobbins stated he only received a couple of inquiries and they were fine with waiting.

Commissioner Johnson inquired how the cost of implementing security and lighting measures would impact his business if made conditions of the request. Mr. Dobbins does not feel he needs to implement these measures as he is not a high volume dealer. Mr. Dobbins stated he has tried to be as honest and legal as he can. Mr. Dobbins added part of that is dealing and selling to people he knows.

Commissioner Peebles asked if the ATF regulate the security of the safe and if there is an inspection of the business address. Mr. Dobbins stated he does not know of an inspection as he has never had one. Mr. Dobbins stated a trigger or action lock is required.

Planning Commission public hearing on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District (continued).

Chairperson Moore thanked Mr. Dobbins for answering the Planning Commission's questions.

Commissioner Powers asked Ms. Hair the difference between the minor or major home occupations. Ms. Hair explained that they are listed in Section 42-1. Ms. Hair stated minor home occupations are typically going to be home day cares with less than five children, home offices, lawn care business with one truck and one trailer, tutoring, or piano lessons. Ms. Hair stated this request has more going on and has the ATF involved. Ms. Hair stated the ATF has contacted Ms. Hair about the request.

Commissioner Powers asked about the Conditional Use Permits in Belmont Farms. Ms. Hair stated she will look into both Conditional Use Permits and Home Occupations in this neighborhood. Commissioner Powers stated he did not see any Conditional Use Permits on the online GIS. Ms. Hair stated she will look at any denied or approved applications.

Commissioner Powers asked if the Scott Street Conditional Use Permit was current. Ms. Hair stated staff checks the CUPs regularly and the Scott Street business is no longer operating. Ms. Hair stated that the applicant sent staff a letter noting he had moved from that location.

Commissioner Huppert stated this CUP will be approved or denied at the next Planning Commission meeting. Commissioner Huppert stated the Planning Commission's recommendation will be relayed to the Town Council at their public hearing on June 23rd. Commissioner Huppert added the Town Council will go over the Planning Commission's discussion and then vote on the request at the public hearing date or their following meeting. Chairperson Moore reiterated this process.

Mr. Chapman asked why we are having this meeting. Ms. Hair explained that firearms sales as a major home occupation is permitted in the R-1 Single Family District with an approved Conditional Use Permit. Ms. Hair added the R-1 permitted uses are listed in the Chapter 42 of the Zoning Ordinance. Chairperson Moore detailed the monitoring of the Conditional Use Permit by Town staff and the Planning Commission.

Ms. Hair stated she has spoken with the Chief of Police. Ms. Hair added the Chief of Police does not find an issue with this type of home occupation and location. Ms. Hair stated Chief Sisson would let the Planning Department know if there were any issues.

Commissioner Beasley asked about future land use changes and the potential for a change in the future land use. Ms. Hair noted that it would take a rezoning and would not recommend anyone apply for this as it is not likely.

Planning Commission public hearing on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District (continued).

Commissioner Collins asked about the ammunition listed on his Home Occupation application. Mr. Dobbins has ordered four boxes of ammunition in his 15 years. Chairperson Moore asked if he would be ok with a condition preventing him from selling ammunition aside from two transactions of ammunition a year. Mr. Dobbins said that would be generous.

Commissioner Newell clarified that Ms. Hair will bring forth minor/major home occupations and Conditional Use Permits requests in this neighborhood. Commissioner Newell indicated the Town website provides current Conditional Use Permits in the Town limits. Commissioner Powers clarified that the website does not show past or denied Conditional Use Permits.

Chairperson Moore explained to the public that the applicant would be financially responsible for any conditions placed on the Conditional Use Permit.

Ms. Hair stated has a phone call planned tomorrow with the ATF and will get the regulations in writing from them via email.

Chairperson Moore stated the next meeting will result in the recommendation to Town Council and there will not be a public comment session at this meeting.

Other Business.

The Development and Comprehensive Plan Subcommittees will meet Wednesday, June 10th at 8:30am. Jerry Heinline, Building Official will be going over the Rehab Code and what other localities are doing.

Commissioner Beasley stated he will speak to his neighbor's about this Conditional Use Permit request.

Commissioner Powers noted that he attended the New River Valley Regional Commission's Planning Commissioner Training with Commissioner Peeples, and staff members Sara Morgan and Missy Martin. The meeting discussed farmers markets and food trucks. Commissioner Carter would like to hear the food trucks discussion.

There being no more business, Chairperson Moore adjourned the meeting at 8:50 p.m.

Craig Moore, Chairperson

Nichole Hair, Secretary ^{Non-Voting}

**Christiansburg Planning Commission
Minutes of June 15, 2015**

Present: Matthew J. Beasley
Ann Carter
Harry Collins
David Franusich
Hil Johnson
Steve Huppert
T.L. Newell
Virginia Peeples
Joe Powers
Craig Moore, Chairperson
Jennifer D. Sowers, Vice-Chairperson (arrived 7:05 PM)
Nichole Hair, Secretary ^{Non-Voting}

Absent: None

Staff/Visitors: Sara Morgan, staff
Tabitha Proffitt, staff
Cindy Wells Disney, Montgomery County Planning Commission
Ann Hess, 70 Crescent Drive
James C. Dobbins, 185 South Central Drive

Chairperson Moore called the meeting to order at 7:00 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia.

Public Comment.

Chairperson Moore opened the floor for public comment. Hearing no public comments, Chairperson Moore closed the floor for public comment.

Approval of meeting minutes for June 1, 2015.

Chairperson Moore introduced the discussion. Commissioner Carter made a motion to approve the Planning Commission meeting minutes. Commissioner Beasley seconded the motion, which passed 9-0. Commissioner Franusich abstained, as he was not present at the last meeting.

Planning Commission discussion on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District. The Planning Commission public hearing was held on June 1, 2015.

Chairperson Moore reminded the Planning Commissioners if they would be abstaining from voting, they would also need to reframe from discussion. Chairperson Moore added the Planning Commission's duty is to consider land use.

Planning Commission discussion on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District – (continued).

Commissioner Carter stated she had served 21 years on Town Council and served 40 years on Planning Commission.

Commissioner Carter stated she has sat through many public hearings. Commissioner Carter added people do not always understand or misinterpret what is going on. Commissioner Carter stated at the last public hearing people rushed to judgment and became emotional over the word gun. Commissioner Carter added the Planning Commission should not rush to judgment. Commissioner Carter stated the applicant is a law abiding citizen with local, state, and federal checks. Commissioner Carter stated the local policemen and women, who carry guns, do not have to abide by these rules.

Ms. Hair indicated she has provided information to the Planning Commission from the ATF representative and the Police Department. Ms. Hair stated the Police Department has not done a traffic study in that neighborhood. Ms. Hair added there have been two summons issued for other traffic violations. Ms. Hair stated some draft conditions have been provided. Ms. Hair added the definitions of major and minor home occupations have been included. Ms. Hair stated all home occupations for the neighborhood have been provided and there are currently six with business licenses.

Commissioner Powers detailed the difference between a major and minor home occupation. Commissioner Powers stated Mr. Dobbins falls under the major home occupation because of the retail aspect of the business.

The Planning Commission had discussion regarding the number of transactions and what constitutes a transaction. Ms. Hair stated she would view a transaction to include gun sales and registration paperwork. Ms. Hair stated the business licensing should detail the amount of sales being done.

Chairperson Moore stated he continues to renew his CDL because it took a lot of time and effort to obtain in the first place, even though he does not use his CDL professionally. Chairperson Moore added he did not feel the hobby aspect of the Federal Firearms License is relevant to the discussion.

Commissioner Johnson stated there are more citizens that have firearms and ammunition in their residence and singling him out is unfair. Commissioner Johnson stated one of his neighbors had a yard sale which included the sale of firearms. Commissioner Johnson added Mr. Dobbins is a more controlled situation. Commissioner Johnson stated he is unaware of anything in the Town Code that would allow the Planning Commission to deny the request. Commissioner Franusich stated he agrees with Commissioner Johnson. Commissioner Franusich stated while traffic is of concern, with only 3 transactions in a year the traffic will not be impacted.

Planning Commission discussion on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District – (continued).

Commissioner Powers stated there is not a huge amount of retail sales. Commissioner Powers added the Planning Commission can limit the number of transactions and reduce impacts to the neighborhood.

Commissioner Beasley stated the neighborhood's first fear was a gun shop being in the neighborhood, but that is not the case. Commissioner Huppert stated he believes the drafted conditions cover the concerns well. Commissioner Collins state he cannot find any issue as to why the request cannot be approved.

Commissioner Collins made a motion to recommend approval of the Conditional Use Permit request with the drafted conditions. Mr. Dobbins requested to have the conditions reviewed.

Chairperson Moore read the drafted conditions.

- 1) No more than 3 transactions shall be processed during a 12 month period.
- 2) Security lighting and a home security system shall be installed before any transactions occur on the property.
- 3) No ammunition shall be sold.
- 4) All firearms shall be stored within a secured safe.
- 5) This permit shall be subject to review by the Planning Commission in one year.

Mr. Dobbins apologized for being late. Mr. Dobbins stated he does not sell guns and ammunition together. Mr. Dobbins added the Federal Firearms License does not cover ammunition. Mr. Dobbins stated he does not stock anything and he rarely has held a gun for more than one day. Chairperson Moore stated wants to keep the discussion about the drafted conditions.

Chairperson Moore asked Mr. Dobbins to clarify sales and paperwork transactions. Mr. Dobbins stated all paperwork must be completed before a gun can be transferred.

Mr. Dobbins stated he has locks on every door of his home and does have motion lights installed. Mr. Dobbins added he does not feel the need for a home security system and does not want to spend money on a home security system. Commissioner Huppert inquired if this type of lighting would be acceptable. Ms. Hair indicated she would consider that security lighting. Mr. Dobbins stated his brother-in-law is a sheriff's deputy and he drives by his house when Mr. Dobbins is out of town.

Mr. Dobbins stated he believes there should be only one stipulation that the public shows his license is detrimental to them. Chairperson Moore stated the purpose of the conditional use permit is to insure the business is not detrimental before it is an issue.

Planning Commission discussion on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District – (continued).

Commissioner Peeples inquired about the amount of ammunition Mr. Dobbins has sold. Mr. Dobbins stated he does not normally sell ammunition, only for special instances.

Commissioner Huppert suggested amending the conditions. Commissioner Huppert recommended Mr. Dobbins be restricted to 6 transactions during a 12 month period. Commissioner Huppert recommended the requirement of a home security system be stricken from the conditions and Mr. Dobbins be required to maintain security lighting. Commissioner Huppert recommended Mr. Dobbins be allowed to sell ammunition, but not in connection with a firearm. Commissioner Huppert recommended Mr. Dobbins be required to secure the firearms, but does not have to be in a safe. Mr. Dobbins agreed with these conditions.

Commissioner Powers inquired about defining a transaction. It was agreed a transaction would include a consumer acquiring something from Mr. Dobbins, including paperwork or a sale of a firearm or ammunition.

Commissioner Collins requested clarification of background checks. Mr. Dobbins stated background checks are required and he does conduct those.

Commissioner Franusich indicated he felt other home occupations produced more traffic than Mr. Dobbins. Commissioner Franusich stated a home day care can have up to 5 children as a minor home occupation and would most likely have 10 trips or vehicles to a property in one day. Commissioner Franusich suggested amending the conditions to allow 12 transactions in a 12 month period. The Planning Commission agreed to this change.

Chairperson Moore read the revised draft conditions:

- 1) No more than 12 transactions shall be processed during a 12 month period.
- 2) Security lighting shall be maintained on the property.
- 3) No ammunition shall be sold with a firearm transaction.
- 4) All firearms shall be stored within a secured location.
- 5) This permit shall be subject to review by the Planning Commission in one year.

The Planning Commission noted ATF has the right to check the property on an annual basis too.

Mr. Dobbins expressed concerns over a second sign being placed on his property. Chairperson Moore explained the Town does it due diligence to notify the public of the public hearings for the Planning Commission and Town Council.

Commissioner Powers stated he will be voting against the request because ammunition is allowed to be sold by Mr. Dobbins.

Planning Commission discussion on a Conditional Use Permit request by James C. Dobbins for a major home occupation for firearms sales at 185 South Central Drive, N.W. (tax parcel 434 – ((5)) – 155) in the R-1 Single Family Residential District – (continued).

Commissioner Newell stated she will be voting against the request due to the established residential neighborhood, the ammunition being sold and lack of security system.

Commissioner Huppert made a motion to recommend to Town Council the request be approved with the 5 drafted conditions. Commissioner Beasley seconded the motion, which passed 8-2.

Ms. Hair and Chairperson Moore explained the next steps for the Town Council public hearing and decision.

Mr. Dobbins asked for clarification on the minor and major home occupation differentiation. Chairperson Moore recommended Mr. Dobbins review the Town Code for that information.

Other Business.

Commissioner Johnson presented information from the 84th VA Certified Planning Commissioners Program. Commissioner Johnson went over the requirements for the program. Commissioner Johnson provided his key takeaways from the program thus far.

Commissioner Powers stated the Development and Comprehensive Plan Subcommittees met last Tuesday with Jerry Heinline, Building Official. Commissioner Powers stated Mr. Heinline confirmed Christiansburg has adopted the Rehab and Maintenance Codes. Commissioner Powers noted the need for more staff in the Planning and Building Departments. Commissioner Powers stated the next Development Subcommittee meeting will discuss food trucks and setbacks. Commissioner Newell stated she is impressed with what staff is able to do with limited amount of resources. Commissioner Collins gave support to the work Mr. Heinline has provided to the town.

There being no more business, Chairperson Moore adjourned the meeting at 8:23 p.m.

Craig Moore, Chairperson

Nichole Hair, Secretary ^{Non-Voting}

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
JUNE 9, 2015 – 7:00 P.M.**

A REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VA, ON JUNE 9, 2015 AT 7:00 P.M.

COUNCIL MEMBERS PRESENT: Mayor D. Michael Barber; Vice-Mayor R. Cord Hall; Samuel M. Bishop; Steve Huppert; Henry D. Showalter; Bradford J. Stipes; James W. Vanhoozier. ABSENT: None.

ADMINISTRATION PRESENT: Town Manager Barry Helms; Assistant Town Manager Randy Wingfield; Clerk of Council Michele Stipes; Town Attorney Jim Guynn; Finance Director/Treasurer Val Tweedie.

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN BISHOP.

PUBLIC HEARING

1. Request for a Conditional Use Permit to allow a commercial garage at 405 Roanoke Street. **This request was withdrawn by the applicant.**

REGULAR MEETING

I. CALL TO ORDER BY MAYOR BARBER.

II. CONSENT AGENDA:

1. Council Meeting Minutes of May 26, 2015
2. Proposed Water and Sewer Leak Adjustment Policy

Councilman Vanhoozier made a motion to approve the consent agenda as presented, seconded by Councilman Bishop . Council voted on the motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.

III. RECOGNITIONS:

IV. CITIZEN'S HEARING:

1. DALE BUCKNER TO ADDRESS COUNCIL ON A PROPOSED GOSPEL SINGING EVENT DOWNTOWN.

Dale Buckner and Jamie Bond thanked Council for the opportunity to present their proposal for a first annual gospel singing festival to be held on Main Street on August 29, 2015 from 5:00 P.M. to 9:00 P.M. The four- member committee that has organized the event has provided a letter to the 175 churches in the Christiansburg-Montgomery County area notifying them of the proposal and requesting support. Food trucks will be included at the festival. The committee has met with the Parks and Recreation Department and the Planning Department in planning and organizing the event and they have notified the only business expected to be open during the event hours. The event will feature mostly local talent of four to five music groups and there will be no charge to attend the event. Mr. Buckner requested that the Town close Main Street from the Square to Dunkley Street for the duration of the event. The committee has submitted an event application to the Town. Council was provided a packet that included an information letter and map outlining the proposed event location.

Councilman Huppert made a motion to amend the agenda to include Council discussion and action on the request for a downtown gospel singing event on August 29, seconded by Councilman Showalter. Council voted to amend the agenda as follows: AYES: Bishop, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

2. CITIZEN COMMENTS:

- a. Lisa Bleakley, Executive Director of the Tourism Development Council, offered to answer questions of Council regarding the Drive Tourism program presented by Randy Rose on March 10, 2015. She thanked Council for its ongoing support and provided information on current tourism trends that showed an increase in tourism spending for Montgomery County.

V. STAFF REPORTS: None

V. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. PROPOSAL BY DALE BUCKNER FOR A DOWNTOWN GOSPEL SINGING FESTIVAL. Councilman Hall made a motion to approve the proposal as presented by Dale Buckner and Jamie Bond for a gospel singing festival to be held downtown on August 29, 2015 from 5:00 PM to 9:00 PM. Councilman Stipes seconded the motion and Council voted as follows: AYES: Bishop, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
2. A PROPOSED REDEVELOPMENT TIMELINE FOR CHRISTIANSBURG INSTITUTE. In response to a request by Council during the May 12 Council meeting, Mr. David Moore submitted a redevelopment timeline for Christiansburg Institute (CI) that outlined the activities that CI plans to undertake during the next year to begin renovations of the Edgar A. Long building. However, Council found that the aggressive timeline did not address some important issues such as specific construction goals and funding. Council agreed that the submitted information leaves many unanswered questions and decided to reconsider providing financial support once progress on the renovations begins.
3. COUNCIL ACTION ON:
 - a. Proposed Annual Budget for FY 2015-2016. The Public Hearing was held on May 26, 2015. Town Manager Helms explained a change to the previous draft budget adjustment dated March 24, 2015 that resulted in a balanced budget. The change had to do with turning a part-time employment position into a full-time position. Councilman Vanhoozier made a motion to adopt the Annual Budget for FY 2015-2016 as presented during the May 26 Public Hearing, with the change presented tonight that resulted in a budget balance of \$0. Councilman Bishop seconded the motion and Council was polled as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
 - b. Conditional Use Permit request by Billy Massie (agent for Starlight MHP, LLC) for the expansion of an existing mobile home park with one single-wide mobile home and one single family residence on Starlight Drive (tax parcel 529 – ((A)) – 41) in the B-3 General Business District. This item is a carryover from May 26, 2015 and the Public Hearing was held on May 12, 2015. Mayor Barber reported that Mr. Massie, who is present, has requested to remove placement of a mobile home from the CUP request. This change would also remove the playground requirement. It was reported that Mr. Massey is in a hurry to build the single-family residence that he will live in within the mobile home park. Town Manager Helms read the Planning Commission resolution recommending Town Council approve the modified CUP request with four conditions. Councilman Huppert made a motion to issue the CUP with the second and third conditions as recommended by the Planning Commission, seconded by Councilman Vanhoozier. Councilman Stipes stated that he could not support the motion because of the material change that resulted in losing the requirement for a playground, which he believes would enhance the mobile home park. He also noted the opposition to the request by Mr. Alvin Humes during the Public Hearing on May 12. Town Manager Helms noted that the change was substantial, but that it reduced the intensity of the property use. He also reported that the Planning Commission's biggest concern with the request was the addition of another mobile home. Mr. Massey noted that currently there are approximately three children living in this particular park. Council was polled on the motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Nay; Vanhoozier – Aye.
3. CONSIDERATION TO PARTICIPATE IN THE DRIVE TOURISM PROGRAM. Councilman Hall made a motion to participate in the Drive Tourism Program, seconded by Councilman Huppert. Council voted on the motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
4. RESOLUTION ADOPTING/SUPPORTING CONTINUOUS AUTHORIZATION TO EXECUTE VIRGINIA DEPARTMENT OF TRANSPORTATION LAND USE PERMITS. Councilman Hall made a motion to adopt the resolution, seconded by Councilman Stipes. Council was polled on the motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.

VI. COUNCIL REPORTS

- a. Councilman Huppert asked for an update on the Main Street property redevelopment project proposed by Mr. Miller on April 28, 2015. Town Manager Helms reported that he and Mayor Barber have met with Mr. Miller twice since then and their discussions will be presented to Council during the June 23 work session. Councilman Huppert reminded Council of the Mountains of Music event scheduled for June 13 at the Montgomery Museum, and he encouraged all to support the event that is co-sponsored by the Town.
- b. Councilman Showalter noted that Montgomery Museum has requested Town funding for replacement of a destroyed directional sign along I-81. Assistant Town Manager Wingfield reported that the approximate cost to replace the sign would be \$6,000 or \$7,000. The Town has provided for partial funding in the FY 15-16 budget, however, Councilman Showalter recommended that the museum agree to recognize the Town of Christiansburg on the sign prior to releasing the funds. Mayor Barber turned this matter over to Assistant Town Manager Wingfield to work with the museum on drafting the wording of the sign to be approved by Council. The New River Valley Regional Commission provided Council with cups and tote bags featuring the new name of the commission. Councilman Showalter then reported that 4,100 responses were received from the passenger rail survey and so plans are being made to include Virginia Tech and Radford University students in the survey.
- c. Councilman Hall reported that the railings are currently being installed on the Huckleberry Trail bridge, and he expressed his appreciation for the increasing number and variety of downtown community events. Concerning the work session scheduled for June 23, he requested that Mr. Miller provide written information to Council prior to the work session detailing the expectations Mr. Miller has of Town involvement in the redevelopment project, financial and otherwise. He then reported that work has begun on replacement of sidewalks at Christiansburg High School.
- d. Councilman Bishop asked for a status update on the consideration of a left-hand turn signal at the intersection of North Franklin and Depot Street. Town Manager Helms reported that VDOT originally denied the need for a left-hand turn signal at that intersection, but that the Town can study the issue again.
- e. Councilman Stipes reported that the Bikeway-Walkway Committee expressed its appreciation for funding in the annual budget that will allow it to move forward with the next step of the project to reconfigure a portion of Roanoke Street to allow for bike lanes, scheduled to be included in the planned water line replacement in 2016-2017. The top priority of the Bikeway-Walkway Committee during the 2015-2016 year is the Crab Creek connector trail that will connect Roanoke Street with North Franklin Street. The shared-use path will resemble the Huckleberry Trail and the Town has provided enough funding to commission a preliminary engineering study.
- f. Mayor Barber announced that the aquatic center will hold a five-year anniversary celebration with aquatic events, games, and competitions on June 26 – 27. Events are free and all are invited to attend. The Town employee picnic is scheduled for June 12 at 5:30 P.M. at the aquatic center.

VII. TOWN MANAGER'S REPORTS:

1. PUBLIC HEARING REQUESTS: Town Manager Helms presented the following request and recommended setting the Public Hearing for July 28, 2015:

- a. Conditional Use Permit request for a single-family residence in the B-3 General Business District, Depot Street.

On motion by Councilman Hall, seconded by Councilman Huppert, Council voted to set the Public Hearing for July 28, 2015 as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier - Aye.

2. PROGRESS REPORTS AND ANNOUNCEMENTS:

- The Human Resource Department has finalized the development of an application form to be used by individuals seeking appointment to Town boards, commissions, and committees. A copy of the form was provided for Council information.
- Town Manager Helms will be out of the office June 10 – 12 to attend the Virginia Local Government Management Association conference in Virginia Beach.

V. ADJOURNMENT:

There being no further business to bring before Council, Councilman Vanhoozier made a motion to adjourn the meeting at 8:02 P.M., seconded by Councilman Bishop. Council voted on the motion as follows: AYES: Bishop, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

Michele M. Stipes, Clerk of Council

D. Michael Barber, Mayor

TOWN OF CHRISTIANSBURG		
BILLS TO BE PAID FOR THE MONTHS OF	MAY AND JUNE 2015	
VENDOR NAME	AMOUNT	DESCRIPTION
A CLEANER WORLD	906.50	
ADAMS CONSTRUCTION CO.	13,255.52	asphalt mix
ADVANCED LOGIC INDUSTRIES, INC	274.00	
AIRGAS MID-AMERICA, INC.	548.93	
ALL PEST CONTROL, INC	400.00	
ALL SEASONS PEST CONTROL, INC	85.00	
ALLMAX SOFTWARE, INC.	1,756.76	training wwtp software
ALVIS ELECTRIC, INC.	3,975.00	electrical work at rescue building new led lights
AMELIA ELIZABETH TUCKWILLER	75.00	
AMERICAN RED CROSS-HEALTH & SAFETY SERVICES	513.00	
ANDERSON & ASSOCIATES INC	8,773.84	storm water design services park street
ARAMARK UNIFORM SERVICES, INC.	3,212.35	towels aq 4 weeks
ARCET EQUIPMENT COMPANY, INC	1,730.85	
ASCAP	336.25	
ATCOM, INC	6,140.00	phone system at fire station
ATLANTIC EMERGENCY SOLUTIONS, INC	6,040.49	fire dept truck maintenance and repairs
ATLANTIC UTILITY SOLUTIONS, INC	33,545.20	water meter project
AUTO EXPERTS, LLC	45.00	
AUTO ZONE, INC	85.49	
B & B QUALITY FENCING	10,150.00	fencing at kiwanis fields
B & K TRUCK ACCESSORIES	153.00	
B & T LAWN CARE LLC	7,920.00	mowing services parks, aquatics, fire, rescue town hall
BAE SYSTEMS, ORDNANCE SYSTEMS, INC	584.00	
BALLPARK SIGNS	225.00	
BANE OIL COMPANY, INC	2,438.35	off road diesel
BKT UNIFORMS	243.96	
BOB'S REFUSE SERVICE, INC.	220.00	
BOONE TRACTOR & IMPLEMENT INC.	1,017.06	
BOUND TREE MEDICAL, LLC	79.37	
BOWIE SALES, INC.	1,438.62	
BRAME SPECIALTY COMPANY INC.	1,310.56	
CALFEE PARK BASEBALL INC	200.00	
CANON SOLUTIONS AMERICA	323.07	
CAROLINA INDUSTRIAL EQUIPMENT	1,191.00	
CARQUEST AUTO PARTS	103.91	
CDW LLC	24,379.06	tablets, tablet warranties, wiring modular project, IT special projects
CHA CONSULTING INC	20,758.97	biosolid management, gas monitoring, storm water prevention plan
CHEMSOLV, INC	6,780.00	hydrogen peroxide for wwtp
CITY OF SALEM	135.17	
CMC SUPPLY, INC.	2,653.97	modular project
COGSDALE SYSTEMS INC.	63,638.62	annual licensing and support fees financial software
COLLISION PLUS	250.00	
CONTROL EQUIPMENT CO. INC.	28.94	
CONTROL TECHNOLOGIES, INC	1,317.00	
CRAIG'S FIREARM SUPPLY, INC	369.50	
CUMMINS ATLANTIC LLC	204.97	
DATA NETWORK SOLUTIONS, INC	193.00	
DEHART TILE CO., INC.	382.46	
DITCH WITCH OF ROANOKE, INC.	114.54	
DIVING ENTERPRISES, LTD	656.81	
DOLI/BOILER SAFETY	60.00	
DON MARK LAYNE	75.00	
DUKE'S ROOT CONTROL INC	19,917.93	sewer pipe clean out
DUNCAN FORD MAZDA	1,137.82	
EAST COAST EMERGENCY VEHICLES, LLC	2,066.15	
EJ USA, INC	10,775.29	risers for new paving projects
ELECTRICAL SUPPLY CO	3,656.93	various supplies for building maintenance
ELEVEN WEST, INC.	922.00	
EMS MANAGEMENT & CONSULTANTS, INC	2,074.86	
EMS, INC	380.00	
ENVIRONMENTAL LAND WASTE MANAGEMENT SERVICE, INC	15,000.00	biosolid hauling
ENVIRONMENTAL SCIENCE APPLICATIONS, INC	1,000.00	
ESRI	25,000.00	GIS SOFTWARE licensing fee annual for 2016

TOWN OF CHRISTIANSBURG		
BILLS TO BE PAID FOR THE MONTHS OF	MAY AND JUNE 2015	
VENDOR NAME	AMOUNT	DESCRIPTION
FAMILY MEDICINE OF BLACKSBURG LLC	1,686.00	
FERGUSON ENTERPRISES, INC.#75	9,859.13	pipe and fittings for install and repair of water and sewer lines
FIRE SAFETY PRODUCTS, INC	190.00	
FITNESS CONCEPTS, INC.	630.00	
FLEET ONE, LLC	19,941.47	fuel town vehicles
FLEET PRIDE, INC	1,727.36	
FRYE ROOFING INC	1,175.10	
FULL SOURCE, LLC	1,503.20	
G & H APPLIANCE, INC.	1,371.00	
GALLS, AN ARAMARK COMPANY	8,681.98	pd supplies and uniforms
GAY AND NEEL, INC.	3,135.00	
GEMPLER'S INC.	102.35	
GLENN'S BODY SHOP	3,890.00	body repairs to 99 Chevy truck PW
GODWIN MANUFACTURING CO.,INC.	745.02	
GRAINGER	759.62	
GREENHOUSE	476.00	
GUYNN & WADDELL PC	5,057.99	legal services
HACH COMPANY	110.99	
HAMANN, INC	8,300.00	mowing service cemetery
HARVEY CHEVROLET CORP.	3,740.07	parts and supplies for vehicle and equipment maintenance
HIGHWAY MOTORS, INC.	768.35	
HOSE HOUSE, INC.	65.83	
IDEXX DISTRIBUTION, INC.	25.10	
IMPACT GRAPHICS + SIGNS	136.56	
INDUSTRY ELECTRIC , LLC	715.52	
INTERSTATE BATTERY SYSTEM OF ROANOKE VALLEY, INC	431.64	
JAMES RIVER EQUIPMENT-SALEM	3,115.87	REPAIR LOADER PW
JAMES RIVER LASER & EQUIPMENT, LLC	117.00	
JAMES T DAVIS AUTO FINISHES	105.99	
JEREMY MADISON WILLIAMS	75.00	
JORDAN OIL CO., INC.	4,105.44	fuel fire and rescue
KAREN L DRAKE	75.00	
KENTUCKY CLUTCH, INC	450.00	
KIMBALL MIDWEST	194.93	
KING-MOORE, INC	4,750.00	it consulting services
KORMAN SIGNS, INC.	10,500.63	signage materials streets
KUSTOM SIGNALS, INC.	4,935.00	three radios pd
LANCASTER, INC.	461.46	
LANDSCAPE SUPPLY INC.	2,331.00	lime for marking fields recreation dept
LARRY LAWRENCE	500.00	
LAWRENCE PERRY & ASSOCIATES, INC	3,920.00	drafting and design pd renovations
LIBERTY FIRE SOLUTIONS, INC	81.88	
LITERACY VOL. OF AMERICA,NRV	1,000.00	
LITTLE RIVER POOL AND SPA, INC	129.90	
LOWES HOME CENTERS, INC.	3,372.19	various materials and supplies for all depts for repair and building maintenance
LYON METAL MFG OF VIRGINIA	3,031.72	modular project
MARKETING ON MAIN STREET LLC	472.50	
MCAFEY, INC	225.00	
MCGRADY-PERDUE HEATING & COOLING, INC	482.00	
MCMASTER-CARR SUPPLY COMPANY	1,587.60	
MEADE TRACTOR	741.70	
MIDWAY PRODUCTION SERVICES	25.00	
MONTGOMERY DISTRIBUTORS	729.50	
MONTGOMERY MUSEUM	3,000.00	support of musical traditions at museum, mountains of music
MOTOROLA	670.00	
MSC EQUIPMENT INC.	1,085.00	
MUELLER SYSTEMS	37,895.75	water meter project
MUNICIPAL EMERGENCY SERVICES, INC	1,008.67	
NATIONAL POOLS OF ROANOKE,INC.	783.58	
NETWRIX CORPORATION	3,519.00	logging software IT
NEW RIVER ENGRAVING	252.50	
NORFOLK SOUTHERN CORP.	2,505.00	annual maintenance crossing protective devices in town
NORTHEASTERN SUPPLY INC.	100.48	

TOWN OF CHRISTIANBURG		
BILLS TO BE PAID FOR THE MONTHS OF	MAY AND JUNE 2015	
VENDOR NAME	AMOUNT	DESCRIPTION
NORTHERN TOOL & EQUIPMENT	95.94	
NORWOOD DEVELOPMENT INC	426,527.48	annual paving project
OFFICE OF THE UNIVERSITY BURSAR	490.50	
OLD TOWN PRINTING & COPYING	531.83	
O'REILLY AUTO PARTS	795.77	
PCM-G	22,251.04	server replacements IT
PEED & BORTZ, L.L.C.	5,200.00	engineering services lubna drive booster station
PETERS AQUATICS	50.00	
PITT OHIO EXPRESS, LLC	175.73	
POWER ZONE	1,142.42	
PRECISION GLASS & UPH. INC.	754.71	
PREFERRED COMMUNICATIONS, INC	3,429.95	IT computer
PRESSURE WASHING SUPPLIES & SERV	2,105.50	
PRO TAINER	24,240.00	6 new recycling containers
PROFESSIONAL COMMUNICATIONS	3,669.00	pd computer maintenance and repair
QUALITY TIRE & BRAKE SERVICE	3,620.00	vehicle tires and tire repairs
QUINCY COMPRESSOR LLC	461.83	
R. E. MICHEL COMPANY, INC.	30.31	
RAKESTRAW LAWN CARE, INC	300.00	
RESCUE ESSENTIALS	996.57	
ROBERT CHARLES MILLER	250.00	
ROCAN INDUSTRIAL PRODUCTS, INC	404.62	
S.J. CONNER & SONS INC.	236.98	
SAFE HAVEN CHILD VISITATION CENTER OF NEW RIVER VALLE	1,500.00	annual support
SAFETY & COMPLIANCE SERVICES, INC.	174.00	
SAFETY SMART GEAR	915.15	
SANICO, INC	2,606.89	janitorial supplies
SCHINDLER ELEVATOR CORPORATION	121.99	
SERVICE COMMUNICATION	131.25	
SERVICEMASTER COMMERCIAL CLEANING	2,829.00	monthly janitorial services aquatics
SHERWIN-WILLIAMS	487.42	
SHI INTERNATIONAL CORP	6,797.50	IT mobile device management software
SHIRLEY C HALLOCK	75.00	
SHRED-IT US JV LLC	88.32	
SIGN SYSTEMS, INC	25.00	
SIGN-A-RAMA	446.72	
SIMPLEXGRINNELL LP	812.00	
SKYLINE DOOR & HARDWARE, INC	849.30	
SMITH'S CUSTOM MILLING	375.00	
SOUTHERN POLICE EQUIPMENT	65.25	
SOUTHERN STATES	118.66	
STAPLES BUSINESS ADVANTAGE	58.89	
STATE ELECTRIC SUPPLY CO.,INC.	883.13	
STEVEN CARLYLE SIMMONS	75.00	
SUBURBAN PROPANE, L.P.	73.81	
SUPER SHOES STORES, INC	49.97	
TASER INTERNATIONAL	260.50	
TAYLOR OFFICE & ART SUPPLY,INC	2,983.83	office supplies various departments
TEMPLETON-VEST	15,685.00	installation of access control system at fire dept
TENCARVA MACHINERY CO.	6,644.70	pumps and supplies for aquatics and sewer operations
TESSCO	2,762.89	supplies and parts for radio tech
THOMPSON TIRE & MUFFLER	604.27	
TIDY SERVICES	1,341.80	
TOWN POLICE SUPPLY	897.28	
TRANE	742.00	
TREASURER OF MONTGOMERY CO.	210.00	
TREASURER OF VIRGINIA	75.00	
UNIFIRST CORPORATION	418.66	
UNITED MUFFLERS	105.95	
UNITED RENTALS,INC.	907.33	
USA BLUE BOOK	255.62	
VA INFORMATION TECHNOLOGIES AGENCY	52.87	
VBCOA REGION II	100.00	

TOWN OF CHRISTIANSBURG		
BILLS TO BE PAID FOR THE MONTHS OF	MAY AND JUNE 2015	
VENDOR NAME	AMOUNT	DESCRIPTION
VIRGINIA BUSINESS SYSTEMS	1,912.39	
VIRGINIA TRUCK CENTER	411.50	
VIRGINIA UTILITY PROTECTION SERVICE, INC	286.65	
WADES FOODS INC.	455.83	
WETLAND STUDIES AND SOLUTIONS, INC	5,781.93	stream restoration plans and survey
WHOLESALE SIDING SUPPLY, INC	21.00	
WILLS RIDGE SUPPLY INC	3,090.00	modular project
WILSON BROTHERS INCORPORATED	952.52	

**TOWN OF CHRISTIANBURG
BILLS PAID DURING THE MONTH OF
SPECIAL REVENUE FUNDS**

MAY AND JUNE 2015

VENDOR	AMOUNT PAID	DESCRIPTION
ATLANTIC EMERGENCY SOLUTIONS	2,290.81	FD maintenance on trucks
C.W.Williams	272.82	
CARDMEMBER SERVICES	2,147.67	FD Fire Headlamps
CARQUEST	147.35	
CRAIG'S FIREARM SUPPLY	12,178.50	LESS LETHAL WEAPONS
DIRECTV	160.64	
Divers Alert Network	110.00	
Exxon Mobile	53.26	
MONTGOMERY COUNTY SHERIFF	56,613.99	GRANT TAZERS
Municipal Emergency Services	128.77	
PULASKI COUNTY SHERIFF	30,378.19	GRANT TAZERS
Radford University	144.00	
SOUTHERN POLICE SUPPLY	2,185.00	BEAN BAG 12GA
SUPER SHOES	94.76	
TASER INTERNATIONAL	36,216.25	TAZERS
TOWN OF CHRISTIANBURG	859.77	FD Fuel
VERIZON	351.11	
TOTAL PAID BILLS	144,332.89	

TOWN OF CHRISTIANBURG		
BILLS PAID DURING THE MONTH		MAY AND JUNE 2015
VENDOR	AMOUNT PAID	DESCRIPTION
ADVANCE AUTO PARTS	38.98	
AIRGAS NATIONAL CARBONATION	1,414.71	CARBON DIOXIDE FOR POOL
ANTHEM BLUE CROSS BLUE SHIELD	208,584.97	EMPLOYEE HEALTH INSURANCE
ANTHEM LIFE INSURANCE COMPANY	2,756.67	EMPLOYEE LIFE INSURANCE
APPALACHIAN POWER	68,262.68	ELECTRIC BILLS TOWN
APWA	133.30	
AT & T	81.88	
ATMOS ENERGY	2,325.02	NATURAL GAS BILL TOWN
BB&T INSURANCE	12,549.00	LIABILITY INSURANCE
BOSTON MUTUAL LIFE INS	1,755.12	EMPLOYEE PD INSURANCE
BRIGHT SERVICES	1,971.84	FINANCE TEMP
CARDMEMBER SERVICES	19,558.69	EQUIP SUPPLY 10,510.86 DUES 120 SCHOOLS 2392.44 TRAVEL 3246.55 SOFTWARE 1388.65 UNIFORMS 924.84 FIRE/RESCUE RECRUITING 975.35
CHANDLER CONCRETE	476.82	
CITIZENS	1,820.00	INTERNET SERVICES
COCA-COLA BOTTLING	36.00	
COLD STONE CREAMERY	144.00	
COLONIAL LIFE & ACCIDENT INSURANCE	1,068.26	EMPLOYEE PAID LIFE INSURANCE
DE LAGE LANDEN	718.00	COPIERS PD
DELTA DENTAL	5,742.94	
DEREK MITCHELL CLARK	300.00	FARMERS MARKET GRAND OPENING MUSICIAN
DONS AUTO	774.00	
DUES AND MEMBERSHIP	150.00	pd dues
ECK SUPPLY COMPANY	1,352.14	
EDIBLE ARRANGEMENTS	291.53	AQUATIC BDAY PARTIES
ELITE K-9	61.38	
EXON MOBILE	50.09	
FARMERS MARKET CHIP EXCHANGE	887.00	
FED EX	379.62	
GENWORTH	476.08	EMPLOYEE PAID LIFE INSURANCE
GOV DEALS	539.76	
GREENHOUSE	1,112.50	
HAMANN INC RANDY'S LAWN SERVICE	60.00	
HAZELBEA CATERING	2,043.00	ANNUAL PICNIC
HOME DEPOT	3,494.57	
KORMAN SIGNS	1,700.49	
KROGER	74.67	
LINKOUS CHELSEA	100.00	HORSEMANSHIP CLASS
LINKOUS LAWN SERVICE	45.00	
LUMOS NETWORKS INC	908.14	
MACADO'S INC	645.30	RESCUE EMS WEEK
MARKETING ON MAIN	2,800.00	JACKETS
MERLO MASSAGE AND TRAGER THERAPY	240.00	
MONTGOMERY PUBLISHING LLC	1,380.76	
MONTGOMERY REGIONAL SOLID WASTE AUTHORITY	33,473.43	TIPPING CHARGES
MOYE JESSICA	880.00	REC DEPT CONCEAL CARRY COURSE
NEW RIER VALLEY PIZZA	627.14	AQ BDAY PARTIES
PAPA JOHNS	111.75	PIZZA FOR AQUATIC PARTIES
PETTY CASH	262.88	
PITNEY BOWES GLOBAL FINACIAL SERV	663.00	POSTAGE MACHINE QUARTERLY LEASE
R.E. MICHEL	422.16	
REFUND FEES REC DEPT	507.00	
REFUND AQUATICS	125.00	
REFUND TAXES	369.16	REFUND OVERPAID TAXES
REFUNDwater deposits	931.27	
REIMBURSEMENTS EMPLOYEES	100.00	WORK BOOTS 100

TOWN OF CHRISTIANSBURG		
BILLS PAID DURING THE MONTH	MAY AND JUNE 2015	
VENDOR	AMOUNT PAID	DESCRIPTION
RICHARD SANFORD	100.00	
ROANOKE TIMES	3,929.44	JOB AND MEETING POSTINGS
SAMS CLUB	1,197.01	
SCHOOLS	5,557.71	pd 1037.21 it 1302 planning 1343.41 finance 1855.09 rec 20
SCHEIDER ELETRIC	294.00	
SHENTEL	408.16	
SISSON & RYAN LLC	4,026.58	STONE, GRAVEL, SAND
SOUTHEASTERN SECURITY CONSULTANTS	315.00	
SOUTHERN REFRIDGERATION	527.28	
SPRINT	68.94	
STAND ENERGY	2,672.72	GAS AQUATIC
SUPER SHOES	197.98	
TRACTOR SUPPLY	929.55	
TRAVEL	6,891.74	rec 150 pd 1650 fire 2814.41 planning 1291.20 it 986.13
TREASURER OF VIRGINIA	766.00	DEQ
VERIZON	1,688.02	PHONE SERVICE
VIRGINIA CIVIL WAR TRAILS	2,600.00	CIVIL WAR TRAIL MARKER
VRS	162,321.98	
VACORP	307.98	
WEST PUBLISHING	133.90	
TOTAL SPECIAL REVENUE BILLS PAID	144,332.89	
TOTAL PAID BILLS	582,711.69	
BILLS TO BE PAID	1,052,060.58	
GRAND TOTAL	1,779,105.16	



Memorandum of Agreement
Between
Town of Christiansburg
and
Radford University

FY16-A005

This Memorandum of Agreement, (“Agreement”), is made and entered into this 15 day of June, 2015, by and between the Town of Christiansburg (“**Town**”), owner and operator of the Christiansburg Aquatic Center (“**Aquatic Center**”) located at 595 North Franklin Street, Christiansburg, Virginia 24073, and Radford University, with its address at 801 East Main Street, Radford, Virginia 24142 (“**University**”), individually referred to herein as ‘Party’ or together as ‘Parties’ and provides as follows:

1. University students, faculty and staff with proper current Radford University identification (“Users”) card shall be granted membership (“Membership”) and be permitted to use the Aquatic Center facility, specifically consisting of the three pools (competition pool, leisure pool, and therapy pool), locker rooms, cardio room, and lounging areas (collectively the “Facility”).
 - a. University will provide to Aquatic Center a University owned Cbord device (“Device”) that requires continuous power and a dedicated data line, to be used to validate Users identification credentials prior to granting Membership to the Aquatic Center. The Device shall remain the property of the University and will be returned to the University upon termination of this Agreement.
 - b. Aquatic Center will use the Device to swipe Users card to determine if User is a current and active card holder.
 - c. Aquatic Center will deny Membership to card holder if Device indicates credentials are not valid.
 - d. Aquatic Center will afford protection to Device in the same manner it protects similar devices.
 - e. Aquatic Center will grant Membership to approved Users during initial visit by obtaining only the required necessary personal information including taking a picture of User and then entering information in Aquatic Center system. Aquatic Center will give User an Aquatic Center Membership card or key-fab that User will present with University identification card each time User desires to enter Facility.
2. University’s recognized Swim Club Sport (“Club Sport”) members as identified on roster presented by University at the beginning of each Academic Semester may use three (3) reserved short lanes or one long lane of the competition pool four (4) nights per week from 7:30 PM to 8:45 PM, Monday through Thursday,

for a total of 18 weeks, excluding the summer break period (which runs from May 30, through August 16, of each calendar year). Any swimming meets to be hosted at the Aquatic Center must be scheduled through the Competitive Coordinator in advance and require a separate rental agreement.

3. Users shall receive a twenty percent (20%) discount off of annual Couple and Family Membership fees. This discount does not apply to programs, classes, or other options.
4. The building will be closed and unavailable to Users and Club Sport on the following days: New Years Day, Day after New Years, Lee- Jackson Day, Easter Sunday, Memorial Day, July 4th, Veterans Day, Thanksgiving Day, Christmas Eve, Christmas Day, and the day after Christmas. User will need to adjust practices on Town of Christiansburg Holidays, Martin Luther King Day, Presidents Day, Labor Day, and the day after Thanksgiving. The pool will be unavailable for the User during Virginia Tech home meets and days' corresponding to home meets of the Christiansburg High School Swim Team and programs and competitions contracted by the Aquatic Center. The Aquatic Center is also closed two weeks out of the year for scheduled maintenance, typically scheduled between the months of August and September.
5. The term of this Agreement shall be for a period of one year commencing July 1, 2015 and ending on June 30, 2016 ("Term"). The Term may be renewed for two additional one year periods. The Parties reserve the right to renegotiate the rates and fees set forth herein prior to any renewal period, taking into consideration Users actual usage of the Facility. If the Parties do not come to an agreement with regard to the rates and fees, the Agreement shall terminate at the end of the then current Term.
6. University shall pay to Town an amount of **\$38,730.00** annually prior to commencement of the initial Term and any renewal Term. This fee is based upon an average monthly Facility usage rate of 25 individual Users or less per day (actual usage divided by the actual number of days the Facility is open during the month averaged over previous three month period and calculated at the end of each 3 months. If average usage for the previous three month period exceeds 25 Users, Town shall invoice University based on the then current nonresidential adult (age 18 to 59) monthly rate. For the purpose of calculating the additional fee, the average usage calculation shall be rounded up to the next whole number. For example; if the average usage is 29.8 users per day for the preceding three month period then the payment due to Town based on \$53 per month will be five (5) users times \$53 monthly nonresidential adult rate for a total of \$265. Payment shall be due within 30 days of the date of invoice. Club Sport Users, Users during Other University Activities, and Users involved during separate rental agreements

for swimming meets are not to be included in the average monthly usage rate unless the User accesses Facility outside of designated Club Sport usage time. Any failure to make such payments when due shall constitute a material breach of this Agreement and Users will not be allowed to use the Facility until the fees are paid.

7. Other University Activities: University may also rent space at the Aquatic Center for scuba, roll classes, or other water activities. University shall pay the following rates for such space as follows:
 - \$25.00 per lane/per hour for the 50m competition pool;
 - \$150.00 per hour for the entire 50m competition pool;
 - \$50.00 per hour for the diving well only;
 - \$100.00 per hour for leisure and therapy pools; and
 - \$25.00 per hour for one-half of the multi-purpose room/wet classroom.
8. The Town understands and acknowledges that University is an agency of the Commonwealth of Virginia and, as such, the Commonwealth of Virginia Risk Management Plan, a financial plan of risk management that is in the nature of self-insurance, administered in accordance with the Code of Virginia (1950), as amended, applies to Radford. The Risk Management Plan is comparable to coverage pursuant to commercial general liability insurance with limits of \$100,000.00 per claim for tort claims against the Commonwealth and \$2,000,000.00 per claim with respect to officers, employees and agents of the Commonwealth. A copy of the applicable Commonwealth of Virginia Risk Management Plan can be provided upon request.
9. SOVEREIGN IMMUNITY. Nothing in this Agreement shall be construed as a waiver of Radford University's or the Commonwealth's sovereign immunity. To the extent permitted by the Virginia Tort Claims Act, Section 8.01-195.1 et seq. of the Code of Virginia (1950), as amended, Radford University shall be responsible for the negligent acts or omissions of its officers, employees and agents. The Town may also enjoy certain governmental immunity and immunity pursuant to Virginia Code section 15.2-1809, in its operation of the Aquatic Center as a recreational facility. Likewise, nothing in this Agreement shall be construed as a waiver of the Town's immunity. The Town shall be responsible for the acts or omissions of its officers, employees and agents to the extent permitted by law.
10. University shall comply with all laws of the United States and the Commonwealth of Virginia, all local ordinances, and with all rules and regulations established by the Aquatic Center for the use of the Facility. University will not suffer or permit activities at the Facilities in violation of any laws, statutes, ordinances, rules, or regulations. The laws of the Commonwealth of Virginia shall govern the

interpretation and performance of this Agreement, regardless of Virginia's choice of law rules. Venue for any dispute regarding this Agreement shall be in the Virginia state court of appropriate jurisdiction in Montgomery County, Virginia.

11. Users shall leave Facility in same condition as when User arrived. Town shall notify University in the event individual Users exhibit inappropriate behavior or fail to follow Aquatic Center rules. In the event that Aquatic Center personnel must take corrective action against a User for the violation of rules, vandalism, fighting, or other anti-social behavior, the User will be ejected until such time as the Aquatic Center Director is satisfied that the conduct will not be repeated. Continued rule violation will result in permanent ejection of the User in violation of the rule, with no refund of any membership fees. The failure of University to take reasonable actions to prevent the recurrence of such violations shall constitute a breach of this Agreement.
12. Lifeguards will be supplied by the Aquatic Center and will be on duty. The lifeguards will be under the direct supervision of the Aquatic Supervisor on duty and will enforce all standard operations and emergency procedures of the Aquatic Center.
13. The premises covered by this Agreement, (except the swimming activity itself) shall be at all times under the control of the Aquatic Center. The Aquatic Center shall have the right to clean during the periods covered by this Agreement. The Aquatic Center reserves the right to cancel University practices or events on the premises for any maintenance, repairs, or emergencies. If the University cancels an event, a representative shall notify the Aquatic Center at least 24 hours in advance, if possible.
14. Neither the Town nor the Aquatic Center is a partner, agent, or joint venturer of University or Users in the conduct of University's or Users' events. Likewise, neither the University nor Users are agents of the Town or the Aquatic Center. Nor are Users agents of the University. Neither the Town nor the University intend for Users to be third-party beneficiaries of this Agreement.
15. In the event of the breach by University of one or more of the provisions of this Agreement, the Town may refuse to allow Users access to the premises and terminate this Agreement.
16. The Club Sport members shall abide by the requirements set out in Virginia Swimming, Inc. Meet Safety Procedures, a copy of which is incorporated by reference.

17. Users have the responsibility to inspect the Facility prior to each use. Any defect noted should be promptly brought to the attention of Aquatic Center staff.
18. Each month, Town shall remit a list to University of the Users who accessed Facility the prior month. Town is responsible for cancelling or deactivating User's Membership.
19. Miscellaneous:
 - A. Notices. Any notice or other required communication by this Agreement shall be in writing and shall be deemed given if hand delivered, sent via overnight mail, or sent postage prepaid by certified mail, or by facsimile, or by email as follows:

If to Radford University:

Barry Miller, PhD, MBA
Director – Department of Student Recreation & Wellness
Radford University
Student Recreation & Wellness Center
200 Jefferson Street
POB 7033
Radford, VA 24142
Bmiller18@radford.edu
540-831-7633

Cc: Pam Simpkins
Director, Procurement & Contracts
Radford University
POB 6885
Radford, VA 24142
ppsimpkin@radford.edu
540-831-6118

If to the Town of Christiansburg:

Town Manager
100 East Main Street
Christiansburg, VA 24073
540-382-6128

If to Christiansburg Aquatic Center:

Terry Caldwell, CPRP, AFO
Director of Aquatics
Town of Christiansburg

Christiansburg, VA 24073
tlcaldwell@christiansburg.org
540-381-7665 ext. 3102

- B. Non-Discrimination. Neither Party will discriminate on the basis of age, sex, race, religion, national origin, or disability.
 - C. Publicity. It is deemed to be in the best interest of each party to publicize this relationship; however, neither party shall issue any press release or otherwise publicize the relationship of the Parties of this MOU without prior written consent of the other party, which consent shall not be unreasonably withheld.
 - D. MOU Non-Exclusive. This MOU is non-exclusive.
 - E. Assignment. No rights of interest arising under this MOU may be transferred or assigned by a party without prior written consent of the other party.
 - F. Changes or Modification. This Agreement can be revised or modified only by mutual consent. All modifications must be in writing and signed by an official of each party. The effective date of any modifications is the date of the final signature.
20. Entire Agreement. This instrument sets forth the entire agreement of the Parties with respect to the Agreement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Agreement, all of which are merged herein. Revisions may be made to this agreement only through the written consent of all the parties.

IN WITNESS WHEREOF, the Parties, acting through duly authorized officials, have caused this Agreement to be executed the day and year first written above.

Town of Christiansburg

Radford University

Barry D. Helms

Date

Pamela P Simpkins

Date

Town Manager

Director Procurement & Contracts

Christiansburg Aquatic Center



Monthly Report: May 2015

Terry Caldwell, Director of Aquatics

- Held customer service training for full-time/part-time staff.
- Submitted requests for proposals in regards to a marketing plan for the CAC.
- Continue participation in Leadership Training series.
- Attended the annual meeting of Montgomery County Prevention Partners.
- Advertised and interviewed summer camp counselor positions.
- Continue meetings and preparation for the 5th year celebration.
- Begin communication with Radford University facility use proposal.
- Programmed and facilitated our annual “Skateboard Showdown” with Greenhouse as a partnership. Donations received by several businesses. 34 participants and 35 spectators.
- Meeting with Dr. Scott Greiner and Dr. Jim Pease to discuss posting of the economic impact analysis. It may now be found online.
- Visits with managers from Applebee’s and Golden Corral.
- Preparation meeting for summer camp.



Bill Beecher, Aquatics Tournaments Coordinator

- Oversaw H2OKIE Quad Meet (Carter Center Aquatics, Lynchburg YMCA, and Roanoke YMCA) 200 swimmers and 300 Spectators
- Oversaw and coached the Master's program
- Organized, oversaw and coached the CAC Bluefin's Summer League Team (82 registered swimmers)
- Discussed with a college Conference the possibility of bringing their Championship to the Aquatic Center

Allison Zuchowski, Aquatic Services Manager

- Celebrated May as Water Safety Month at the CAC
- Town Proclamation for 2015 National Water Safety Month
- Went on Blue Ridge Daytime as a guest on May 12th to talk about Water Safety and National Water Safety Month
- Hosted a Water Safety Day at the CAC on May 17th
- Attended Customer Service workshop on 5/6
- Held an all part-time staff in-service on May 17th
- Working with MCPS and the Lions Club on a program for this Fall/Spring with 2nd grade swim lessons at the CAC
- Facilitated American Red Cross Water Safety Instructor class 5/6-18.
- Facilitated lifeguard in-service training for the summer season kickoff 5/26, 27 & 28.

Wayne Hunter, Maintenance Superintendent

- Repaired tiles competition pool deck
- Installed electrical power picnic shelter skate park
- Broken stair treads replaced
- Fixed broken tiles closet pool deck
- Painted multipurpose rooms
- Painted hallway
- Painted kitchen
- Painted restroom inside &out skate park
- Striped & waxed catwalk &boardwalk
- Striped &waxed multipurpose room
- Painted parking lines skatepark



Scott Coppock, Customer Service Supervisor

Prior Membership Monthly reports have been distributed by current, renewing memberships. This report and future reports will reflect the memberships sold in the month of May.

- Total Memberships Sold:
 - Resident: **55**
 - Non Resident: **69**
- Attendance:
 - Daily Resident Passes: **2,582**
 - Daily Non-Resident Passes: **514**
 - Dry Passes: **333**
 - Members Scanned: **2,816**
 - \$1 Admissions: **131**
- **Birthday parties & room rentals**
- Had **18** birthday parties in May
- Had **9** room rentals in May

Wayne Hunter, Maintenance Superintendent

- Repaired tiles competition pool deck
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- Broken stair treads replaced
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Chrystal Jones, Aquatic Supervisor

- Wrote and distributed the June 2015 Splash Flash.
- Finished up the Local Government Leadership Development Series.
- Participated in 5 Year anniversary celebration planning.
- Participated in Water Safety.
- Facilitated part of a Lifeguard Certification Class.
- Assumed Lifeguard scheduling responsibilities.
- Participated in Lifeguard interviews.



Lauren Woodcock, Program Supervisor

Learn to Swim classes	43
Yoga	6
Private lessons	42 unique members (162 uses)
Water fitness passes	17 unique members (70 uses)
Intro to Diving	7
Total participants for May	115 (288)

May Events

- Whales Tales talks with Rainbow Riders groups
- 2nd grade lessons from McHarg-3 groups of 40 children finished May 29th
- High school students aerobics class May 13th
- Kipps Family Night fair May 14th
- Hire/Train camp supervisors
- Water Safety Fair May 17th
- Meeting with Patricia Gudreau about possible MCPS 2nd grade lessons next year
- Finished last aerobic session before the summer May 22nd

Upcoming June 2015 Events

- Summer LTS begin June 1st
- Summer Camps begin June 1st
- Summer Aerobics begin June 1st
- Flick n Floats every Friday in June
- SCUBA June 20th and 21st



Aquatic Center Revenue Report

May 1-31 2015

Days of Operation	29
Facility Closed for Meets	1
Holiday Closings	1
Meets Held (without Facility Closure)	0
Maintenance Closing	0

Memberships

Non-Resident Membership	69
Resident Membership	55
Total Memberships	124

Attendance

Daily Resident Pass	2,582
Daily Non-Resident Pass	514
Dry Pass	333
Member Scan	2,816
Programs, Rentals	570
Total Attendance	6,815
Daily Average	235

\$1 Late Admission	131
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Revenue

Facility Revenue	5,440.00
Daily Admission	9,834.00
Program Revenue	25,262.00
Retail Revenue	486.08
Food Concessions	130.01
Membership Revenue	10,957.19
Competitive Meet Revenue	10,671.00
Refund	-125.00
Over/Short	-8.00
VT Contributions	N/A
Total Revenue	62,647.28

Birthday Parties	18
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