

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
JULY 14, 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 JULY 14, 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. ABSENT: James W. Vanhoozier.

ADMINISTRATION PRESENT: Town Manager Barry Helms; Assistant Town Manager Randy Wingfield; Clerk of Council Michele Stipes; Town Attorney Jim Guynn; Planning Director Nichole Hair; Staff Accountant Marc Evans; Director of Parks and Recreation Brad Epperley; Public Information Officer Allison Long; Aquatics Director Terry Caldwell; Superintendent of Public Works Jim Lancianese; Police Chief Sisson.

PLEDGE OF ALLEGIANCE

REGULAR MEETING

I. CALL TO ORDER BY MAYOR BARBER.

II. CONSENT AGENDA:

1. Council Meeting Minutes of June 23, 2015

Councilman Hall 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.

III. RECOGNITIONS:

1. WILL RHODES EAGLE SCOUT SKATE PARK SHELTER (Aquatics Director Terry Caldwell).
This matter was postponed due to the absence of Mr. Rhodes.

IV. CITIZEN'S HEARING:

1. UPDATE BY SUE FARRAR, EXECUTIVE DIRECTOR MONTGOMERY MUSEUM AND LEWIS MILLER REGIONAL ART CENTER, ON THE "MUSICAL TRADITIONS AT MONTGOMERY MUSEUM". Ms. Farrar provided Council with an update on the success of the "Musical Traditions at Montgomery Museum", held on June 13 in collaboration with the Crooked Road's music festival "Mountains of Music Homecoming". She thanked the Town for its generous financial sponsorship and for offering the assistance of staff from the Police Department and the Parks and Recreation Department. Ms. Farrar commented that the event was a success in that it raised money to support the museum, increased membership, and put the museum on the map as a performing arts center in the New River Valley. After analyzing the musical event, the museum board and staff realized that hosting the event during the "Mountains of Music Homecoming" created competition for the museum and resulted in attendance that was short of what was expected. Museum staff continues to look for ways to improve events and to partner with the Town and surrounding communities. The next museum-sponsored event will be Heritage Day on August 22, and the museum will be partnering with Smithfield Plantation in Blacksburg to hold a musical event on September 20.

Councilman Showalter made a motion to amend the agenda to table Council discussion and action on the Conditional Use Permit request for major home occupation to allow for firearms sales at 185 South Central Drive, due to the absence of Councilman Vanhoozier. Councilman Hall seconded the motion. However, the motion and second were withdrawn after Councilman Stipes stated that Councilman Vanhoozier indicated to him that if he were present for the vote, he would abstain from voting due to a potential conflict of interest because he lives in the same neighborhood as the applicant.

2. CITIZEN COMMENTS:

- a. No comments.

V. STAFF REPORTS:

a. UPDATE ON THE PARKS AND RECREATION DEPARTMENT BY DIRECTOR BRAD EPPERLEY.

Parks and Recreation Director Brad Epperley explained to Council the various divisions within the Parks and Recreation Department and the department's operations within the Town. Recreation department staff is responsible for the management, maintenance, renovation, landscaping, and placement of new playground equipment at six small parks located within the Town. The department also provides maintenance and upkeep on the Huckleberry Trail, and Mr. Epperley was pleased to report on the upcoming grand opening events for the newly opened Huckleberry Trail Bridge, and future expansions that will extend the trail to the downtown area. He also reported that the Town's Bikeway, Walkway Committee is making significant progress on increasing connectivity within the Town using the Huckleberry Trail as the main trailway. Other facilities managed and maintained by recreation department staff are the Kiwanis Park and Harkrader Sports Complex. Mr. Epperley spent a few minutes updating Council on the success of the 2015 Nations Eastern Ultimate World Series recently held at Harkrader Sports Complex. Five states were represented, with approximately three thousand visitors to Christiansburg and twelve hundred occupied hotel rooms in the New River Valley. The event had a regional appeal and was a successful collaboration between Christiansburg, Radford, Pulaski, Virginia Tech, Radford University, and the high schools of Christiansburg, Blacksburg, Auburn, Floyd, and Pulaski. Christiansburg has already been chosen to host the event again in 2016. Several competitions were held during the world series event that raised \$2,800 for Jill's Buddy Camp, which is a partnership between the recreation department and Montgomery County to pair teens with disabled children in grades Pre-K through second grade to participate in educational and entertaining camp activities around the New River Valley. The camp serves as an extended school year for Montgomery County, and Mr. Epperley reported that the school system was impressed with the camp programming. Jill's Buddy Camp is the first camp of its kind in Virginia that utilizes this type of partnership. Mr. Epperley briefly reported on the success of the Fourth of July festival that was expanded this year to include downtown events, which received approximately twenty-five hundred visitors. Town Council expressed its appreciation for the commitment and dedication of the recreation department staff to serve the community in a meaningful and professional manner.

VI. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. TOWN COUNCIL ACTION ON:

- a. Conditional Use Permit for major home occupation to allow for firearms sales at 185 South Central Drive. The Public Hearing was held June 23, 2015. Town Manager Helms read the Planning Commission resolution recommending Town Council approve the CUP request with five (5) conditions. A copy of the resolution is attached herewith. Planning Commission vote was: 9 ayes, 2 nays. Councilman Hall made a motion to deny the request, seconded by Councilman Stipes. Councilman Stipes stated that a CUP allows the Town to consider uses which may be essential or desirable, but are not allowed as a matter of right within a zoning district. Through the CUP request process the Town has the opportunity to receive public input on requests, and Council has a responsibility to consider the sentiments of those most directly affected by the outcome of each request. Councilman Stipes further stated that the Town has received a tremendous amount of input that did not favor issuing the CUP by the neighbors of the applicant. For this reason, Councilman Stipes said he was unable to support issuing the CUP. Council was polled on the motion as follows: Bishop – Nay; Hall – Aye; Huppert – Nay; Showalter – Aye; Stipes – Aye. The request was denied.

2. FUNDING FOR THE UPGRADES TO THE POLICE DEPARTMENT BUILDING. Town Manager Helms provided a breakdown of the financial situation regarding renovations at the Police Department and discussed with Council possible solutions to funding the financial shortfall. The Town budgeted \$424,000 for the necessary third-floor renovations, but the lowest bid received was \$822,000, resulting in the need for additional funding of almost \$400,000. Council discussed various ways to reduce costs and various ideas for funding the shortfall, including using funds from the emergency services building fund or taking out a bond. Chief Sisson stated that the overcrowded Police Department continues to grow and is in need of the additional space that the renovation project would provide. Council agreed to move forward with the renovation project and to further discuss funding the shortfall at the next regular Council meeting. Councilman Hall recommended each Council member tour the Police Department to see how it is operating with its limited space. Councilman Hall made a motion to proceed with completion of the construction project at the Police Department, seconded by Councilman Bishop. Council was polled on the motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

VII. COUNCIL REPORTS

- a. Councilman Hall reported that the Recreation Advisory Commission did not meet in July because of the 2015 Nations Eastern Ultimate World Series, which was hosted by the recreation department and held at the Harkrader Sports Complex. He also reported that he has heard many positive comments from citizens about the Huckleberry Trail bridge, and that people from surrounding localities are visiting Christiansburg to use the new bridge.
- b. Councilman Stipes reported on the planned future extension of the Huckleberry Trail to the high school and to the downtown area.
- c. Councilman Showalter reported that the Central Business District Committee is scheduled to meet on July 20 at 6:30 P.M. He also reported that he has received many favorable comments from citizens regarding the Huckleberry Trail bridge.
- d. Councilman Huppert reported that he has received many compliments from citizens on the flowers in the downtown area and he commended the Town staff responsible for the planting and upkeep. An update on the Farmers' Market will be given at the next regular Council meeting.

VIII. TOWN MANAGER'S REPORTS:

1. PUBLIC HEARING REQUESTS: Town Manager Helms presented the following requests and recommended setting the Public Hearings as indicated:

August 11, 2015

- a. Community Development Block Grant (CDBG) Consolidated Plan and 2015-2016 Annual Action Plan.

August 25, 2015

- a. Request to amend the conditions set forth in the CUP for Cambria Crossing as follows: To allow single-family dwellings on corner lots to have a 10-foot side setback, and to allow for all projections to project in the yard (setback) by a maximum of 2-feet.
- b. Request to amend Town Code to have a density of twenty units per gross acre in a Planned Housing Development (a CUP is required for a PHD).
- c. Rezoning request for property north of Quin W. Stuart Boulevard from A-Agriculture to R-3 Multi-Family Residential District.
- d. Contingent on the above rezoning request, a request for a Conditional Use Permit for a Planned Housing Development in the R-3 Multi-Family Residential District.

On motion by Councilman Hall, seconded by Councilman Stipes, Council voted to set the Public Hearings as indicated, as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

2. PROGRESS REPORTS AND ANNOUNCEMENTS:

- Town Manager Helms reported that the Town has been awarded the School Resource Officer (SRO) grant applied for during the budget process and he will provide detailed information on the grants at the next regular Council meeting. Police Chief Sisson was present and offered to speak about the grant and what it means for the Town. Chief Sisson reported that he has met with the Montgomery County Board of Supervisors to discuss the grant and was advised that it needed approval from the school board before it could advise moving forward in accepting the grant. The county has made no commitment to help fund the SRO positions that would be established through acceptance of the grant. The grant would provide for two SRO's for three years and Chief Sisson reported that the schools benefiting from the grant would be Falling Branch Elementary School and Christiansburg Primary and Elementary schools. He then provided a financial breakdown of what the grant would provide and what would be expected of the Town. The officers placed in the schools through the grant would perform patrol and crime prevention duties during summer breaks and school holidays/vacations, and they would be trained as D.A.R.E. officers. Christiansburg currently has SRO's placed in the middle school and the high school. Chief Sisson stated his full support for placement of SRO's at the primary and elementary school level, but he understands the financial aspects that would impact the Town and he respects Council's decisions regarding the grant. The grant must be accepted or denied within thirty days. If the Town accepts the grant, it would be expected to fully fund the positions after the four years of grant assistance, but Chief Sisson was unsure for how long. Council requested that

Chief Sisson research the flexibility of the grant, including whether or not the Town could accept only one SRO position. Chief Sisson said he would continue to work with the County to secure confirmation that the positions would be accepted into the schools if the grant is accepted. Council will further discuss this matter at the July 28 regular Council meeting.

- Jim Lancianese and Travis Moles both recently completed the three-year comprehensive management course in Georgia. The program will soon be offered at a location in Virginia, which will increase practicality for Town employees.
- A legislative reception to discuss Rail 20-20 is scheduled for August 20 for all legislators in the New River Valley. Invitations will be received at a later date. A rail committee met today and has asked for a contribution of \$500 from New River Valley localities to help fund the reception. Council will discuss this at a future Council meeting.

At James Dobbins' request, Mayor Barber allowed him the opportunity to briefly address Council regarding its denial of his CUP request for a major home occupation at 185 South Central Drive. Mr. Dobbins expressed his frustration with Council's denial of his request and for the entire Conditional Use Permit request process, which left him with no recourse for getting back the \$750 he paid in permit application fees that resulted in no permit. Mr. Dobbins asked Council to explain its decision to deny the request, stating that he believed that the numerous complaints received by the Town were submitted by only a few people. He explained that he has operated his firearms business from his former home in Blacksburg Country Club for fifteen years with no complaints from neighbors and no negative consequences to the neighborhood. Mr. Dobbins stated that he did have support within the neighborhood, but was unaware of the importance of having his supporters speak out in his favor; he was unprepared for Council's response to his request, especially in light of the Planning Commission's support. Much of Mr. Dobbins' frustration came from the initial impression he was given that the CUP application would be a straight-forward process, only to find out that he ended up wasting a lot of time and money. He recommended that Council put better guidelines into place for its CUP process to prevent other applicants from going through what he and his family have had to go through, specifically concerning the non-refundable application fee.

Near the close of the meeting, Councilman Bishop asked if there was any recourse for the refunding of CUP application fees in cases where the request has been denied. Assistant Town Manager Wingfield noted that the application fee is used to fund the CUP process, which includes the cost of processing the application, advertisement and notification costs, Planning Commission salaries, and other administrative costs.

IX. CLOSED MEETING:

1. Councilman Hall made a motion to enter into 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. Councilman Stipes seconded the motion and Council voted as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
2. Reconvene in Open Meeting.
3. Certification. Councilman Hall moved to certify that the Town Council of the Town of Christiansburg, meeting in Closed Meeting, to the best of each member's knowledge, discussed only the matters lawfully exempt from open meeting requirements by Virginia Law and only such matters as are identified in the Resolution to enter into Closed Meeting, seconded by Councilman Stipes. Council voted on the motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
4. Council action on the matter. Councilman Hall made a motion to authorize Town Manager Helms to purchase the land discussed during the Closed Meeting not to exceed \$1.1 mil, plus associated costs. Councilman Bishop seconded the motion and Council voted as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

IX. ADJOURNMENT:

There being no further business to bring before Council, Councilman Hall made a motion to adjourn the meeting at 9:05 P.M., seconded by Councilman Showalter. Council voted on the motion as follows: AYES: Bishop, Hall, Huppert, Showalter, Stipes. NAYS: None.

Michele M. Stipes, Clerk of Council

D. Michael Barber, Mayor