

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
FEBRUARY 23, 2016 – 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, VIRGINIA, ON FEBRUARY 23, 2016 AT 7:00 P.M.

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

ADMINISTRATION PRESENT: Town Manager Barry Helms; Assistant Town Manager Randy Wingfield; Clerk of Council Michele Stipes; Town Attorney Theresa Fontana; Finance Director/Treasurer Val Tweedie; Aquatics Director Terry Caldwell; Public Relations Specialist Allison Long; Planning Director Andrew Warren; Parks and Recreation Director Brad Epperley; Police Chief Mark Sisson; Director of Engineering and Special Projects Wayne Nelson.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. Amendment to the Annual Budget for FY 2015-2016. On behalf of the Finance Committee, Councilman Stipes reported on the budget amendment that resulted in a net difference of approximately \$650,000. Two notable items in the amendment, as explained by Councilman Stipes, were the purchase of property on Roanoke Street for a new emergency services facility, and the costs to cover the search for a new Town Manager. There was no one to speak for or against the proposed amendment.

REGULAR MEETING

- I. CALL TO ORDER BY MAYOR BARBER. Mayor Barber stated there was a quorum of Council present

- II. CONSENT AGENDA:
 1. Council Meeting Minutes of February 9, 2016
 2. Monthly Bills

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

- III. RECOGNITIONS:

1. **Resolution recognizing** Kadyn Camper on her national championship in the NFL Punt, Pass, and Kick competition. Councilman Hall recognized Kadyn Camper, her parents and sister, and Nick Yopp of the Parks and Recreation Department who was responsible for introducing the Camper family to the competition as the local coordinator. Councilman Hall read the resolution and presented Kadyn with a framed copy. Mayor Barber then presented Kadyn with a key to the Town in honor of her special accomplishment. A copy of the resolution is attached herewith.
2. Police Department Oath of Honor for new officers. Christiansburg Police Chief Mark Sisson presented the Oath of Office to the following new members of the Christiansburg Police Department: Officer Jade Shrader of the field training program, Dispatcher Kayla Gravley, and Dispatcher Kaylee Long. Council thanked Chief Sisson and the new officers for their commitment to serving the Christiansburg community.

- IV. CITIZEN'S HEARING:

1. Caleb M. Taylor, P.E., Executive Director, NRV Regional Water Authority to present information on fluoride. Caleb Taylor, Executive Director of the NRV Regional Water Authority came before Council to discuss Community Water Fluoridation (CWF), which celebrated its 70th anniversary in 2015. Mr. Taylor explained that there has been much debate on whether to fluoridate water or not, and many studies done on how to provide communities with safe water that has been fluoridated. Studies have shown that there are many benefits to fluoridating water, mainly in helping to prevent cavities in children. Mr. Taylor stated that the NRV Regional Water Authority seeks guidance from state and federal agencies in providing healthy water the community, and it does add fluoride to its water, in addition to the fluoride naturally occurring in the New River, to meet the fluoridation standards set by the Environmental Protection Agency (EPA). Mr. Taylor talked about other elements that end up in water and the work being done by the EPA to establish guidelines to prevent water contamination. He then stated that water distributed by the NRV Regional Water Authority is within the guidelines for healthy water, which includes testing for contaminates. Council thanked Mr. Taylor for his report.

2. Children's Trust presentation by Randy Bonds and Melissa Almond of the Child Advocacy Center. Councilman Hall introduced Mr. Bonds and Ms. Almond of the Child Advocacy Center (CAC) and briefly explained the importance of Children's Trust to the New River Valley in child abuse cases. Mr. Bonds and Ms. Almond spoke to Council about the child protective services Children's Trust provides in the New River Valley. The main focus of Children's Trust is to decrease the trauma of abuse by providing a child-friendly environment in which victims of abuse can tell their story only once or twice, instead of numerous times to numerous agencies. Children's Trust works with local law enforcement, social services, and the court system to investigate allegations of abuse, prosecute perpetrators, and provide necessary services to victims and their families. Children' Trust also works to educate the community on all forms of child abuse. Mr. Bonds went on to explain the investigative process that proceeds when abuse is alleged, and the various agencies and organizations involved in the investigations, including Children's Trust that strives to meet the needs of the families involved. Children's Trust is currently located in Christiansburg, which Ms. Almond explained is an ideal location for serving the New River Valley. The non-profit organization does depend on the financial contributions of localities, and Mr. Bonds and Ms. Almond asked Council to consider supporting the organization in the amount of \$5,000 in the budget for FY 2016 – 2017, which would help the organization reach its goal to raise \$30,000 in 2016. All local funds remain in the New River Valley and help the organization remain operational in Christiansburg. The next closest Children's Trust is located in Roanoke. Children's Trust is available for use by all child advocacy agencies in the New River Valley, and Mr. Bonds reported that from January 2012 to May 2015, 387 child interviews were held through Children's Trust. Of those, 47 interviews in 2015, and 15 in 2014, involved Christiansburg families. Ms. Almond stated that Children's Trust was critical to communities in combating child abuse through prevention, education, and through the investigative process. In closing, Ms. Almond said that the Child Advocacy Center provided lunchtime educational training sessions, free of charge, to individuals in the New River Valley involved in child advocacy. Council thanked Mr. Bonds and Ms. Almond for providing them with information on the impact of Children's Trust in the New River Valley.

3. Citizen Comments:
 - a. James Hill of Pilot addressed Council as president of the NRV Beekeepers Association in regards to the proposed amendment to Chapter 42 "Zoning" of the *Christiansburg Town Code* in regards to provisions for urban agriculture including the keeping of chicken hens, chicks, and beehive stands. Mr. Hill noted that approximately thirty members of the association have Christiansburg addresses. He explained the purpose of the association to promote beekeeping and briefly explained the behaviors of bees and the details of successful beekeeping. Mr. Hill expressed his concern that the ordinance amendment may have been misworded concerning the number of beehive stands allowable. He explained that a beehive stand is different than a beehive, and that a stand could be built to accommodate numerous beehives. He said if Council intended to limit the number of allowable beehives, it should reword the amendment. Mr. Hill also suggested allowing more flexibility for property owners with larger lots, recommending two beehives per ½ acre. Lastly, he asked Council to consider deleting the annual zoning permit requirement for beekeeping, since the ordinance mainly pertains to the keeping of chickens and chicken coops. Mr. Hill said that a beehive could be better compared with a doghouse than with a chicken coop. Mayor Barber agreed that the main focus of the ordinance amendment was on the keeping of chickens, and that the guidelines for beekeeping were already outlined in the original ordinance considered but denied in 2011.

- b. Steve Hall, 1200 Flint Drive, noted that the CHS wrestling team recently won its 15th consecutive state championship and he requested that Council consider displaying high school state championships on Christiansburg gateway signs. He suggested that organizations, businesses, and individuals, may be interested in fundraising or making donations to cover costs associated with that type of honorary display. Mayor Barber commented that several civic clubs in Town are working on finding ways to bring community recognition to the athletic accomplishments of Christiansburg students.
- c. James Atwood, 985 McHenry Avenue, a Christiansburg resident for 35 years, expressed his frustration to Council regarding increases in water rates over the years, and he questioned what the Town did with the old water meters recently replaced by digital meters. Town Manager Helms replied that some of the meters were sold for scrap, while others were withheld for use as pool meters. He further explained that the water rate increases were pass-through increases in response to rate increases by the water authority. Councilman Stipes added that water service to Christiansburg residents is subsidized by the Town, meaning that residents do not pay for the full cost of their water usage. Councilman Huppert noted that water service was not meant to generate revenue, and Town Manager Helms explained to Mr. Atwood the water billing rates and the new monthly billing process expected to begin in May 2016. Mr. Atwood then asked who owned the aquatic center. Mayor Barber responded that the Town owned the facility, while Virginia Tech helps cover annual operating costs under contract.
- d. Roger Woody of 1285 Tranquility Via, a home builder in Christiansburg for thirty years, spoke in opposition to the proposed ordinance amendment to allow chickens in town by stating that he has made no provisions for farm animals in the neighborhoods he has developed through restrictive covenants due to the presence of existing town ordinances. His own developmental guidelines were developed using existing town ordinances, which do not allow for the keeping of farm animals in Town limits. He urged Council to consider the impact of owning chickens on neighboring properties. It was noted that Homeowner's Association restrictions are sometimes more restrictive than town ordinances.

V. STAFF REPORTS:

1. Update from the Finance/Treasurer's Department by Finance Director Val Tweedie. Mrs. Tweedie began her presentation by reviewing the staff and their functions within the department. She continued with a review of the operations within accounts payable, Business Professional Occupational Licenses (BPOL) division, payroll, and billing for taxes and utilities. Mrs. Tweedie expressed appreciation for the new "Welcome to Christiansburg" booklets, noting that the information was important in explaining service details to new citizens. She briefly spoke about the customer service provided through the Treasurer's Department, then reviewed the monthly and annual reports generated by her office for various Town departments, which are used in compiling information for the annual budget and for the annual audit. Council thanked Mrs. Tweedie for the update.
2. Update from Town Manager Helms regarding the sign ordinance pertaining to political signs. Town Attorney Fontana provided Council with state code regulations pertaining to political signs, explaining that regulations must be in context to the sign ordinance and not to a particular type of sign. "Temporary signage" could be specified, however, all regulations would pertain to all temporary signs, not just political signs. Virginia has provided a model ordinance for signs, and many localities are modifying their ordinances to reflect the state's model ordinance. Town Attorney Fontana said she needed input from Council as to how it wants to regulate temporary signs within its various ordinances, and she advised that the Town's sign regulations should be in the zoning ordinance, which would allow for more flexibility in regulating and in providing conditions on sign placement and duration. However, Councilman Hall pointed out that if regulations are placed within the zoning ordinance, a Conditional Use Permit would be required, which has an application fee of \$750. Town Attorney Fontana noted that the Local Government Association has provided a draft sign ordinance model that provides suggestions on how to make regulations fit within a specific location, and she recommended using the state model modified to meet Christiansburg's needs. Town Manager Helms reported that he and Town staff have been working to provide a recommendation to Council on signage, but the recommendation would need to go to the Planning Commission for review. He expects to provide Council with a recommendation within 60 days,

depending on the Planning Commission review. Town Attorney Fontana said she would work with the Planning Commission during the review to provide explanations and answer questions.

VI. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. Council action on:

- a. Consideration of an ordinance amending Chapter 42 "Zoning" of the *Christiansburg Town Code* in regards to provisions for urban agriculture including the keeping of chicken hens, chicks, and beehive stands, and amending Chapter 8 "Animals" regarding vicious and wild animals. The Public Hearing was held on February 9, 2016. Councilman Stipes said he believed it was time for responsible urban agriculture in Christiansburg due to changing demographics, citizen expectations, and the desire for a healthy lifestyle. He referenced Salem's decision to allow the keeping of chickens in 2012, noting that there wasn't a large response to owning chickens the first year it was allowed. The City of Roanoke currently allows the keeping of chickens without a permit. Councilman Stipes explained that several years ago he supported the Planning Commission's recommendation to deny a request to keep chickens in Town. This time, however, the Planning Commission has recommended allowing chickens , with the exception of one member, with an ordinance that is thorough, responsible, and enforceable, and he supports the recommendation, but requested that a one-year review be placed in the ordinance. Councilman Hall said the Planning Commission went through a long process to properly assess the matter, and he stated his support for requiring a permit, but recommended striking the annual \$25 fee. Town Manager Helms explained that the fee would cover the cost of annual inspections for compliance. Councilman Huppert said he is not familiar with chickens, but has studied and listened to the discussions and is open to hearing more information. He has heard conflicting information pertaining to smell and noise, and his main concern is how keeping chickens might negatively affect neighbors. Councilman Collins was on the Planning Commission during the study and he stated that he did not support the recommendation for approval. He referenced comments from a health department representative to the Planning Commission that chickens can spread disease through their droppings, and he also expressed concerns that the sight of chicken coops could devalue neighboring properties. Councilman Bishop said he has had experience raising chickens and explained that generally smell is a concern with larger groups of chickens, not with small groups of six or less. Councilman Showalter said he respects the comments of Council on the issue of keeping chickens, which he has not supported in the past. However, because the Planning Commission has heavily studied the issue, and neighboring localities have seen success with allowing chickens, Councilman Showalter said he was able to support the recommendation of the Planning Commission to allow chickens in Town, and he suggested the Town include the recommendations of Mr. Hill pertaining to beekeeping. Councilman Showalter stressed that the Town needed to revisit the ordinance annually or sooner if problems arise. Councilman Huppert recommended the Town inspect chicken coops bi-annually for close monitoring, at a fee of \$25 annually. Councilman Hall made a motion to approve the amendment to Chapter 42 "Zoning" as presented, seconded by Councilman Bishop. Town Manager Helms asked if Council wanted to include in the motion the amendment to Chapter 8 "Animals" that was presented, but not discussed. In response, Councilman Hall amended his motion to include approval of the amendment to Chapter 8 "Animals" as presented, and Councilman Bishop seconded the amended motion. Council further discussed the recommendations of Mr. Hill pertaining to the keeping of bees, and decided to leave the amendment as is with the intent to further study the bee issue and make future amendments as deemed necessary. Mayor Barber said for years he has not supported keeping chickens in town because of the many grandfathered chicken owners. He further stated that he has no issue with chickens under the new guidelines and recommended that the grandfathered status be done away with and all chicken owners be brought into compliance with the new ordinance. Mayor Barber said he supports requiring a public hearing for each request, along with a bi-annual inspection at \$25 each. Council was then polled on the motion as follows: Bishop – Aye; Collins – Nay; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
- b. Option to purchase property on Roanoke Street. Town Manager Helms recommended Council authorize him to purchase the property on Roanoke Street for \$594,000, not including administrative costs, as previously discussed for use by Town emergency services. Councilman Bishop made a motion to make the authorization as recommended by Town Manager Helms, seconded by Councilman Stipes. Council was polled on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

- c. An ordinance amending Chapter 36 "Utilities" of the Christiansburg Town Code in regards to changes related to shifting water, sewer, and garbage billing from bi-monthly billing to monthly billing. Council was provided an updated ordinance amendment for review, and Town Attorney Fontana explained the ordinance amendment, which provided clarification to the details regarding penalty/disconnect/reconnect for non-payment. Councilman Hall made a motion to approve the ordinance amendment as presented, seconded by Councilman Huppert. Council was polled on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
2. Resolution Authorizing a Local Official to Execute Agreements with the Virginia Department of Transportation during the Year 2016. Councilman Hall made a motion to approve the resolution, seconded by Councilman Stipes. Council was polled on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

VII. CLOSED MEETING:

1. Councilman Showalter made a motion to enter into a Closed Meeting under (1) Virginia Code Section 2.2-3711(A)(7), for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. Discussion of possible litigation related to property repossession, disposition, and construction contract. Councilman Hall seconded the motion and Council was polled as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
2. Reconvene in Open Meeting.
3. Certification. Councilman Showalter 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 Hall. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
4. Council action on the matter. No action taken by Council.

VIII. COUNCIL REPORTS

- a. Councilman Collins requested that Police Chief Sisson provide Council with information on the top five locations of the most vehicle accidents in Christiansburg for review.
- b. Councilman Bishop, on behalf of the Central Business Advisory Commission, stated that work continues on the Drive Tourism draft document.
- c. Councilman Hall reminded Council of the joint meeting with the Recreation Advisory Commission on March 7 to discuss the Truman Wilson property, with a public information session at 7:00 P.M. He then noted the internet safety meeting being held tonight, and he credited the Police Department and the Parks and Recreation Department for organizing the informational meeting to educate adults on the various social media outlets.
- d. Councilman Stipes said he was pleased the ordinance amendment allowing the keeping of chickens in Town was approved. He said he understood Councilman Collins' concerns and is glad that Council can agree to disagree.
- e. Councilman Showalter encouraged Council to submit nominations to Kevin Byrd for the NRV Regional Commission annual awards. He then expressed his appreciation for the Town staff that gave their time and input during Water, Sewer, and Solid Waste Committee discussions regarding water lines, waste water projects, and during budget planning. He expects the annual budget for FY 2016-2017 to include funds for a solid waste and recycling master plan designed to meet the Vision 2020 plan for recycling.

- f. Councilman Huppert encouraged Council to attend the school board meeting on February 25 at Falling Branch Elementary School to discuss the future of the schools in Christiansburg. He then asked if the Town still receives complaints from residents of Miller and Alleghany Streets regarding traffic, since the Town installed traffic control measures. Town Manager Helms responded that the citizen's do continue to complain about the traffic on those streets. In closing he reported on upcoming scheduled events at the Christiansburg Aquatic Center.
- g. Mayor Barber reported that a quote has come in from Ballpark Signs for a sign at the aquatic center. Town staff will meet with representatives of Ballpark Signs to discuss options and pricing, and he will bring information to Council for consideration.

IX. TOWN MANAGER'S REPORTS:

- Dr. Mear of the Montgomery County School Board extended an invitation to Council to attend a meeting on February 25 at Falling Branch Elementary School to discuss the future of the schools in Christiansburg.
- A work session of Council is scheduled for March 1, 2016 at 6:00 P.M. to discuss the follow-up task list, and the Town's alcohol policy.
- The Town has been given an opportunity to purchase a vacant 11.4 acre lot next to Home Depot for a negotiable price of \$1.7M. Town Manager Helms said he sees no Town use for the property at this time.
- The Town has received a request from David Hagan to lease the Rowe building at 415 Cambria Street, N.W. beginning June 2016. Mr. Hagan currently has an agreement with the Town to use the building, which expires in June. Mr. Hagan would continue to maintain the property and pay property taxes, if permitted to use the property under a lease agreement. Council agreed to approve Mr. Hagan's request and authorized Town Attorney Fontana to draft a lease agreement.
- The annual town picnic is scheduled for June 10, 2016.
- Council was invited by Town Manager Helms to attend the public works' portion of the Citizen's Academy on September 14, 2016.
- Town Manager Helms reported on a joint meeting with the Recreation Advisory Commission to discuss the concept master plan for the Wilson property. Council was shown the preliminary plan and Town Manager Helms explained the layout of the plan. No pricing is available at this time. He then explained a revision to the gas line plan that was necessary due to complications with the previously proposed street placement. Town Manager Helms offered to answer questions of Council. Councilman Hall noted that cost estimates were the next step of the business concept plan and should be available soon. Parks and Recreation Director Brad Epperley provided additional details on the necessity for the revised gas line plan, and noted the goal to resolve the gas line issue this summer in the most cost effective manner. In addition, he stressed that the Recreation Advisory Commission continues to look at ways to minimize costs in developing the property. Council spent a few minutes discussing the proposed layout of the property and Councilman Showalter stressed that he believes the Town has meet the need for baseball/softball fields, but it continues to have a need for rectangular, multi-purpose athletic fields. He stated that costs are going to be a determining factor in development and he asked that multi-purpose athletic fields be a priority over baseball/softball fields. Mr. Epperley said the goal is to make the athletic fields as multi-purpose as possible in response to the information gathered from public input. Councilman Stipes concurred with Councilman Showalter's comments. However, Councilman Hall said that although the Town has several designated baseball/softball fields, the fields are not ideal for girls' softball. Councilman Collins asked if grants were being sought for development costs, to which Mr. Epperley replied that Gay and Neel were actively pursuing grant opportunities.

X. ADJOURNMENT:

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 10:21 P.M.

Michele M. Stipes, Clerk of Council

D. Michael Barber, Mayor