

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
MAY 10, 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 MAY 10, 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; Bradford J. Stipes. ABSENT: Steve Huppert.

ADMINISTRATION PRESENT: Town Manager Barry Helms; Assistant Town Manager Randy Wingfield; Clerk of Council Michele Stipes; Town Attorney Theresa Fontana; Treasurer/Finance Director Val Tweedie; Director of Engineering and Special Projects Wayne Nelson; Assistant Director of Engineering Todd Walters; Environmental Project Manager John Burke; Aquatics Director Terry Caldwell; Fire Chief/Fire Marshal Billy Hanks; Police Chief Mark Sisson; Farmers' Market Manager Sarah Belcher; Public Relations Director Melissa Powell; Fire Department Employee Terry Dulaney.

PLEDGE OF ALLEGIANCE

REGULAR MEETING

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

Councilman Showalter made a motion to amend the agenda to add a discussion to the Closed Meeting as follows: 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. The request pertains to property on Park Street. Councilman Hall seconded the motion and Council voted as polled: Bishop – Aye; Collins – Aye; Hall – Aye; Showalter – Aye; Stipes – Aye.

II. CONSENT AGENDA:

1. Council meeting minutes of April 26, 2016.

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; Showalter – Aye; Stipes – Aye.

III. RECOGNITIONS:

IV. CITIZEN'S HEARING:

1. Dale Buckner to address Council regarding a Gospel Singing event. Dale Buckner thanked Council for its time and presented his request for approval to hold the second annual downtown Gospel Singing event, and to close Main Street from the Square to Dunkley Street for August 27, 2016 from 3:00 P.M. to 9:00 P.M. The event is scheduled from 5:00 P.M. to 9:00 P.M. The event will be organized and held exactly

like last year's gospel singing event, with musical groups and food trucks. Mr. Buckner reported that last year's event saw over 1,000 attendees, many of whom were from areas outside Christiansburg, according to Councilman Hall. This year, Mr. Buckner anticipates attendance between 1,100 and 1,500. Mr. Buckner said he has met with the Parks and Recreation Department to discuss the event, and has submitted the required event application and event fees to the Town. He also plans to visit Main Street businesses to notify them of the event and discuss any potential conflicts. Police Chief Sisson reported that there were no issues or problems during last year's event. Councilman Hall made a motion to amend the agenda to add Council discussion and action on this matter, seconded by Councilman Showalter. Council was polled as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Showalter – Aye; Stipes – Aye. Mayor Barber added this matter as Item #7a under Discussions by Mayor and Council Members.

2. Citizen Comments:
 - a. No comments.

V. STAFF REPORTS:

- a. Captain Altizer to provide an overview of the Towing Board and how the board regulates tow companies in Christiansburg. Town Manager Helms reported that this matter should have been placed on the agenda for the May 24, 2016 Town Council meeting.

VI. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. Ordinance amending Chapter 36 "Utilities" of the Christiansburg Town Code in regards to establishing a stormwater utility and system of stormwater utility fees. Council will take action on the ordinance and fee schedule when it votes on the Annual Budget for Fiscal Year 2016-2017. Council commended the diverse committee that studied and drafted the ordinance, and expressed support for the proposed ordinance as a fair and thorough policy. Councilman Showalter added that he and Councilman Hall attended a work session on this matter and was impressed by the way the committee explained the details of the ordinance and listened to the concerns expressed by citizens. Town Manager Helms noted that a flyer would be sent out with the next water bill notifying residents of the proposed new fee.
2. Discussion regarding a moment of silence (Councilman Collins). Councilman Collins asked Council to consider beginning each Council meeting with a moment of silence, a time to be used as each individual Council member sees fit. Councilman Collins said he was concerned with changes being experienced in the country, and believes a moment of silence would make a statement to the children and citizens of Christiansburg about the importance of freedom and liberty. Councilman Hall said he has talked to members of Council over the years about a moment of silence, to be used as each individual sees fit, and has no concern with the observance. Councilman Stipes said he has given the matter thought, and while he appreciates the intent, would only support a moment of silence if the majority of Council expressed support. He explained it would be easier for him to support the idea if it was a tradition that was under attack, rather than introducing a new practice. He further explained that observing a moment of silence prior to each meeting could take away from moments of silence for specific situations. Councilman Bishop said he has talked with a few people about this idea, and cautioned that Council should know its audience first, and should understand what it means. He further commented that he has not made a decision on whether or not to support the idea. Councilman Showalter agreed that perception was important, and he recommended discussing further once Councilman Huppert was back in town. Mayor Barber recommended calling the practice a "moment of reflection", which would not take away from a "moment of silence" for specific situations, and would allow individuals to decide how to use the time. Mayor Barber asked Town Manager Helms to contact the Town's legal counsel to request an opinion on this matter. It was noted that Montgomery County holds a moment of silence prior to each meeting, with no problems or issues.
3. Resolution for the Renewal of the FY13 Revenue Sharing Projects. Councilman Stipes made a motion to approve the Resolution for the Renewal of the FY13 Revenue Sharing Projects, seconded by Councilman Hall. Council was polled as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Showalter – Aye; Stipes – Aye. A copy of the resolution is attached herewith.

4. Request regarding street closures for the Food Truck Rodeo. This is a carryover item from April 26, 2016. Town Manager Helms used an aerial map to indicate the festival location, street closures, food truck and stage locations, and the location of the alcohol sales area. The event will be organized and set up similarly to last year's food truck rodeo. Mr. Franusich said he expects between five and seven thousand visitors based on Police Department estimates. Councilman Stipes said that during the April 26 Council meeting, he asked several times about the specific location of alcohol sales, without receiving an answer, and he recommended that Council take action separately on the requests for street closures and alcohol sales. Councilman Stipes said he supports the food truck rodeo, but, for philosophical reasons, does not support the sale of alcohol on public property. Mayor Barber noted that Council has already voted to approve the sale of alcohol on public property for another event, which would cause a discrepancy if Council votes against the alcohol sales in this request. Councilman Bishop stated his concern regarding the sale of alcohol on public property, and, in response to Mayor Barber's comments, pointed out that Council's previous vote allowing the sale of alcohol during a downtown event was for Montgomery Museum to sell alcohol on private property during its Crooked Road music festival. Councilman Hall said he appreciates the concerns regarding alcohol sales downtown, but after attending the food truck rodeo, understands how much it is enjoyed by citizens and how many people it brings to the downtown area. He is not aware of a single incident involving alcohol during last year's event, and he expressed his appreciation to DCI for its efforts in bringing this event to Christiansburg. Councilman Stipes stressed that his request for the sale of alcohol to occur on private property is a simple one. He has had citizens express concern with this aspect of the event and it is his job to represent the citizens. Mayor Barber said he was inclined to suggest Council take action on the request as a whole, but would support separating the vote if that was the desire of Council. Councilman Showalter said he has attended many of the events hosted downtown by DCI, and stated that the events could not be compared to the "tailgate events" of the past that did experience issues with alcohol. He said he respects the views of Council, but is comfortable supporting the request because of the ample police presence and the lack of issues during prior events. Councilman Collins also expressed his appreciation for DCI's efforts to bring people to the downtown area and voiced his support for the request. Police Chief Sisson reported that there have been no problems related to alcohol during previous events hosted by DCI, and reported on the measures taken by the Police Department to patrol the event. Councilman Hall made a motion to approve the street closures for the food truck rodeo, as requested David Franusich, seconded by Councilman Showalter. Council was polled on the motion as follows: Bishop – Aye, with concerns; Collins – Aye; Hall – Aye; Showalter – Aye; Stipes – Nay.
5. Aquatic Center Logos. Council was provided a copy of a sign proposal from Ball Park Signs for signs and sign placement at the aquatic center in response to Council's focus on branding at the facility. Mayor Barber and several Council members worked with Ball Park Signs to develop a branding plan, and Mayor Barber used PowerPoint to present Council with the sign designs and placements in the proposal. Total cost of the proposal was \$1,805.00, which would be covered by tourism funding. Council discussed the Ball Park Signs proposal and gave consensus to proceed as recommended at a cost of \$1,805.00.
6. Aquatic Center wall wrap project (Councilman Showalter). Councilman Showalter explained that during discussions with Ball Park Signs regarding branding at the aquatic center, one idea that became clear was that, essentially, the aquatic center was the Town's visitor center. Building on that idea, the group discussed various ideas to provide a photo album of Christiansburg's story to display at the aquatic center. One idea was for a hallway wrap made up of photos from around Town and Town events. Councilman Showalter asked for Council approval to form a committee to design the wrap. Proposed total cost of the wrap would be \$3,200, and \$500 is needed to get the project started. Funds to cover the cost of the wrap are available through tourism. Aquatic Director Terry Caldwell said she is excited the Town is focusing on branding at the aquatic center through signage and the hallway wrap, and she envisions many individuals enjoying looking at the pictures on the wrap. Council gave consensus to proceed with forming a committee to design the hallway wrap.
7. Request by Montgomery – Floyd Regional Library to have the \$10.00 per event Loudspeaker Permit fee waived for the summer concerts on the lawn. The request is for this year and future years. A written request from Paula Alston was included in the agenda packet for Council review. Councilman Hall made a motion to waive the \$10.00 Loudspeaker Permit for the calendar year 2016, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Showalter – Aye; Stipes – Aye.

- 7a. Dale Buckner's request for street closures for the second annual downtown gospel singing event. Councilman Hall made a motion to approve the street closures as requested, seconded by Councilman Stipes. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Showalter – Aye; Stipes – Aye.

Town Manager Helms introduced newly hired Public Relations Director, Melissa Powell, who began working for the Town a week ago. Ms. Powell formerly worked for an advertising agency and the Roanoke Times.

Councilman Hall requested that Council reports be moved to precede the closed meeting in anticipation of lengthy discussions, which was agreed upon. See Section VIII.

8. Closed Meeting:

- a. Councilman Showalter made a motion to enter into a Closed Meeting under (1) 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; and (2) Virginia Code Section 2.2-3711(A)(1) for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and (3) 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. The first matter pertains to disposition of property on Peppers Ferry Road, the second matter is for discussion regarding the town manager position, and the third request pertains to property on Park Street. Councilman Hall seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Showalter – Aye; Stipes – Aye.
- b. Reconvene in Open Meeting.
- c. 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 Stipes. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Showalter – Aye; Stipes – Aye.
- d. Council action on the matter. Councilman Showalter made a motion to appoint Steve Biggs to serve as the Town Manager effective July 1, 2016, seconded by Councilman Stipes. Council was polled as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Showalter – Aye; Stipes – Aye. Mayor Barber reported that he received an email from Councilman Huppert expressing his support for the appointment of Mr. Biggs as Town Manager. Mr. Biggs, who was present, said he has enjoyed watching the meeting of a Council that was engaged, passionate, and well-prepared. He is looking forward to working with the Council and staff of Christiansburg, and he expressed his appreciation for the support of Council.

VIII. COUNCIL REPORTS:

- a. Councilman Collins said, while he respects the opinions of the Town's legal counsel, he doesn't believe a legal opinion is necessary for voting on the moment of silence matter.

- b. Councilman Bishop reminded Council that the CBAC is waiting on direction from Council on where to focus its efforts. Mayor Barber asked Council to send suggestions to Councilmen Bishop and Showalter.
- c. Councilman Hall reported on the Recreation Advisory Commission meeting held on May 2, which saw good attendance. The next meeting will be held June 6 and discussion will involve adding members to the commission, specifically a high school representative. He then thanked Council for supporting efforts to combat child abuse by recognizing and bringing attention to child abuse prevention month.
- d. Councilman Stipes, on behalf of the Street Committee, reported on measures being taken to decrease the number of accidents on North Franklin Street, near McDonalds. Also, a request has been received to reduce the speed limit on a portion of Roanoke Street, from I-81 to Eastern Corporate Limits. The Street Committee is waiting for crash data before making a recommendation, but doesn't see an immediate concern in that area of town. He then reported that Open Door Baptist Church requested to extend the left turn lane off Roanoke Street into their parking lot, and the street committee intends to recommend approval.
- e. Councilman Showalter reminded Council of the NRV Regional Commission awards dinner tomorrow night, noting that the Town needs to discuss adding a representative to the commission in Scott Weaver's extended absence. He then thanked Wayne Nelson, Director of Engineering and Special Projects, and his staff for the stream restoration along Independence Boulevard.
- f. Mayor Barber asked for recommendations from Council for a representative on the NRV Regional Commission, suggesting that the appointee be a current member of the Planning Commission. Also, Ann Carter's term on the Economic Development Alliance expires soon and she has asked to not be reappointed. Mayor Barber will provide Council with recommendations for consideration.

IX. TOWN MANAGER'S REPORTS:

1. PROGRESS REPORTS AND ANNOUNCEMENTS:

- Sound Properties in the Christiansburg Industrial Park has requested an extension through September to obtain a Certificate of Occupancy. The previously extended deadline is June 2016. Construction completion date has been set for September 2016. Councilman Hall made a motion to approve the extension request, seconded by Councilman Bishop. Council was polled on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Showalter – Aye; Stipes – Aye.
- Council was provided a summary of the Annual Budget for FY 16-17, and Town Manager Helms explained the noted adjustments that resulted in a positive increase to the fund balance of \$9,796. Council discussed the adjustments and Town Manager Helms provided answers to questions. The proposed budget, including adjustments, is scheduled to go to advertisement tomorrow, and Council can adjust the budget after the Public Hearing, if necessary. Council scheduled a work session for May 24, after the regular Council meeting, to discuss the final draft of the annual budget and to consider Public Hearing comments.
- Council was provided information on the cost increases for the Police Department renovations. Town Manager Helms explained that the initial estimate did not include architectural fees, which explained a portion of the overage.
- Lane striping on Independence Boulevard will be done with paving.
- A swim-a-thon for Help Save the Next Girl will be held at the aquatic center on May 14, 2016. Councilman Showalter said that the Christiansburg High School Chapter of Help Save the Next Girl has been heavily involved in the community and will be participating in the swim-a-thon, and he encouraged Council to support the event by stopping by and making a donation, if possible.

X. ADJOURNMENT:

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 9:15 P.M.

Michele M. Stipes, Clerk of Council

D. Michael Barber, Mayor