



AGENDA  
REGULAR MEETING OF TOWN COUNCIL  
CHRISTIANSBURG TOWN HALL  
100 EAST MAIN STREET  
APRIL 10, 2018 – 7:00 P.M.

REGULAR MEETING

I. CALL TO ORDER

- A. Moment of Reflection
- B. Pledge of Allegiance

II. ADJUSTMENT OF THE AGENDA

III. PUBLIC HEARINGS

- A. Ordinance to amend Chapter 24 “Nuisances” of the Christiansburg Town Code in regards to Article II – Regulation of Noise.
- B. Ordinance to amend Chapter 42 “Zoning” of the Christiansburg Town Code in regards to permitting a loudspeaker/sound amplification/outdoor sound system to be used in excess of the Chapter 24 “Nuisances” Article II – Regulation of Noise by Conditional Use Permit in the A, MU-1, MU-2, B-1, B-2, B-3, I-1, and I-2 zoning districts.

IV. CONSENT AGENDA

- A. Council meeting minutes of March 27, 2018.
- B. Approval of Scoreboard Addendum for Kiwanis Park Operating agreement.
- C. Approval of Bike Sharing Program Memorandum of Understanding.
- D. Resolution Recognizing April 8 – 14, 2018 as National Public Safety Telecommunicators Week.
- E. Proclamation for the Week of the Young Child, April 16–20, 2018.
- F. Proclamation for National Work Zone Awareness Week – April 9 – 13, 2018.
- G. Notice of Intent to Award a Contract to Adams Construction for Primary Extension Paving.
- H. Schedule Public Hearing on May 22, 2018 for a Conditional Use Permit request by Safe Haven Family Services, Inc., agent for Quorum Holding Corporation for a single-family residential dwelling at 2175 Palmer Street, N.E., tax map no. 466 – A – 17 in the B-3, General Business

zoning district. The property is designated as Business/Commercial on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

- I. Reschedule Public Hearing from April 10, 2018 to April 24, 2018 for the closure of Hickok Street, N.W. to vehicular traffic from W. Main Street to Commerce Street.

V. CITIZEN COMMENTS

VI. INTRODUCTIONS AND PRESENTATIONS

- A. Introduction of New Employees:
  1. Melissa Demmitt, Director of Public Relations, Public Relations Department
    - Casey Jenkins, Events Coordinator.
- B. Christiansburg High School - Town Council Partnership.
- C. Recognition of Parks and Recreation employee Alan Johnson for receiving the MLK Community Service Award from the Montgomery County – Radford City – Floyd County Branch of the NAACP.
- D. Christopher Sanchez, Project Organizer with Christiansburg Institute, Inc. to present in regards to Christiansburg Institute, Inc. budget request.
- E. Wayne Nelson to provide an update on NRV Regional Water Authority.

VII. COMMITTEE REPORTS

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

- A. Council action on:
  1. Request by Downtown Christiansburg, Inc. for a street closure of Hickok Street, N.W. from W. Main Street to Commerce Street, N.W. for a Wine & Artisans event on April 27, 2018.

IX. STAFF REPORTS

- A. Town Manager
- B. Town Attorney
- C. Other Staff

X. COUNCIL REPORTS

XI. OTHER BUSINESS

XII. ADJOURNMENT

Upcoming meetings of Council:  
April 24, 7:00 P.M. – Regular Meeting  
May 8, 7:00 P.M. – Regular Meeting



**TOWN OF CHRISTIANSBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**  
PUBLIC HEARING

**Meeting Date:**  
April 10, 2018

**ITEM TITLE:**

Public Hearing on an ordinance to amend Chapter 24, “Nuisances,” Article II. – Regulation of Noise, of the *Christiansburg Town Code* for the purpose of regulating loud or intrusive sounds or vibrations, modifying the exemptions to the ordinance, and providing for civil penalties in place of criminal penalties in the Town of Christiansburg.

**DESCRIPTION:**

The proposed revisions to the Noise Ordinance are intended to provide a better-defined, narrowly-tailored scope of noise to be regulated by the Town of Christiansburg. The proposed revisions to the Noise Ordinance are summarized below:

**Definitions**

- *Conditional use permit, A-weighted decibel (dBA), C-weighted decibel (dBC), Decibel, Emergency and public safety work, Enclosed dwelling unit, Enclosed vehicle, Special event permit and sound level meter* were added as definitions.
- The definitions of *noise, plainly audible* and *sound* were refined.
- *Public boundary, Public property* and *Residential area* were removed as defined terms.

**Noises Prohibited**

- Based on feedback from the community meetings, the proposed ordinance introduces A-weighted decibel (dBA) and C-weighted decibel (dBC) limits for sound. The ordinance retains the *plainly audible* standard but now also includes permissible decibel levels that are based on the day of the week, the time of day, and the zoning district of the property where the sound is received.
- The 50-foot distance measurement from animal noise was removed and the measurement timeframe was shortened from ten to five minutes.
- The 50-foot distance measurement from car stereo noise was removed and the *plainly audible* standard was applied to an enclosed car or enclosed dwelling unit of another person.
- The 50-foot distance measurement from an alarm system was removed and the *plainly audible* standard was applied to the dwelling unit of another person.

**Exemptions**

- Redundant exemptions already exempted or preempted by Federal or State law were removed.
- The exemption for school athletic facilities was revised to apply to lawful activities on governmental and school facilities.

### Penalties

- Violations of the noise ordinance are now subject to civil penalties and fines and are no longer criminal offenses.
- A process was added to allow a person who is issued a ticket to waive the trial and pay the fine.

### Severability and Enforcement

- A severability clause was added to the proposed ordinance.
- Details were added regarding the standards, regulations, and use of sound level measurements and sound level meters.

### Conditional Use Permit

- A conditional use permit process was introduced to allow for the reasonable use of property which may exceed the noise ordinance on a recurrent basis.
- The draft noise ordinance is accompanied by a proposed amendment to the Zoning Ordinance to allow for sound in excess of the noise ordinance, by conditional use permit in the Agricultural (A), Mixed Use: Residential - Limited Business (MU-1), Mixed Use: Residential - Limited Business - Limited Industrial (MU-2), Limited Business (B-1), Central Business (B-2), General Business (B-3), Limited Industrial (I-1), and General Industrial (I-2) zoning districts.

Theresa Fontana, Town Attorney and Staff developed the ordinance with guidance and feedback from the Planning Commission and Dr. John Casali, Director of the Auditory Systems Laboratory at Virginia Tech. Two public meetings were held ahead of the Planning Commission public hearing and input from those meetings also shaped the draft ordinance.

Planning Commission held its public hearing on March 19, 2018. The Planning Commission held a work session on April 2 and recommended approval of the ordinance amendment by a vote of 9-0 at its regular meeting on April 2, 2018 with four suggested revisions. The four revisions are detailed on the Planning Commission Resolution and have been incorporated into the current proposed ordinance, dated April 2, 2018.

### **POTENTIAL ACTION:**

Hold Public Hearing

### **DEPARTMENT:**

Planning Department

### **PRESENTER:**

Andrew Warren, Planning Director

### **Information Provided:**

Draft Ordinance - dated April 2, 2018

<https://christiansburg.box.com/s/zjmyfeofworkmzjfyvrzui0i6lofoary>

Planning Commission Resolution

<https://christiansburg.box.com/s/ekausrni13updejc782jklpk6puppm4f>

Planning Commission Minutes – March 19, 2018 and April 2, 2018 (Draft)

<https://christiansburg.box.com/s/cv4ooh9lhm3fm1xb6y2uyhu8jt0my1xa>

<https://christiansburg.box.com/s/kokwuear827x3if87mgrvo9mb9ooopl>

March 1 and March 8, 2018 Public Meeting Summary

<https://christiansburg.box.com/s/m3siojwiq84bmk9hnikoopfk18sbsub57>

Starlite Drive-In Official Proposal: Noise Ordinance for Businesses

<https://christiansburg.box.com/s/bjj93azi3c3dwk0x5j9ihyg55m54v332>

Decibel Level Thermometer

<https://christiansburg.box.com/s/tad1xytm176gbv14qtoefp0um1ntx6d3>

Noise Ordinance Comparison Table

<https://christiansburg.box.com/s/58g8854f9yhpw28te1y1oc77djrgtswc>



**TOWN OF CHRISTIANSBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**

PUBLIC HEARING

**Meeting Date:**

April 10, 2018

**ITEM TITLE:**

Public Hearing on an ordinance to amend Chapter 42, "Zoning," of the *Christiansburg Town Code* to permit a loudspeaker/sound amplification/outdoor sound system to be used in excess of Chapter 24 "Nuisances" Article II. – Regulation of Noise, by Conditional Use Permit in the Agricultural (A), Mixed Use: Residential - Limited Business (MU-1), Mixed Use: Residential - Limited Business - Limited Industrial (MU-2), Limited Business (B-1), Central Business (B-2), General Business (B-3), Limited Industrial (I-1), and General Industrial (I-2) zoning districts.

**DESCRIPTION:**

The proposed amendment to the Zoning Ordinance, initiated by the Town of Christiansburg, adds the following use to the list of permitted uses in the A, MU-1, MU-2, B-1, B-2, B-3, I-1, and I-2 zoning districts:

*Loudspeaker / sound amplification / outdoor sound system to be used in excess of the Town's noise ordinance, with a conditional use permit.*

The proposed revisions to the Noise Ordinance introduces a conditional use permit process to allow for the reasonable use of property which may exceed the permitted sound levels of the Noise Ordinance on a recurrent basis. The purpose of the conditional use permit is to allow a specific property/use the ability to mitigate potential noise impacts with specific conditions the Town Council may impose on the conditional use permit. A special event permit may still be granted for single events that may exceed the noise ordinance within the public right-of-way or publicly-owned properties.

The Planning Commission held its public hearing on March 19, 2018. The Planning Commission recommended approval of the code amendment by a vote of 9-0 at its meeting on April 2, 2018.

**POTENTIAL ACTION:**

Hold Public Hearing

**DEPARTMENT(S):**

Planning Department

**PRESENTER**

Andrew Warren, Planning Director

**Information Provided:**

Draft Ordinance

<https://christiansburg.box.com/s/ecw48649iko43yfhzinsc9n6wa1eiusda>

Planning Commission Resolution

<https://christiansburg.box.com/s/watizro4hene5a49zgtbgipenh7w2gu9>

Planning Commission Minutes – March 19, 2018 and April 2, 2018 (Draft)

<https://christiansburg.box.com/s/cv4ooh9lhm3fm1xb6y2uyhu8jt0my1xa>

<https://christiansburg.box.com/s/kokwuear827x3if87mgrvo9mb9ooopl>

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
WORK SESSION MINUTES – 5:30 P.M.  
REGULAR MEETING MINUTES – 7:00 P.M.  
MARCH 27, 2018**

A WORK SESSION OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VIRGINIA, ON MARCH 27, 2018 AT 5:30 P.M.

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

ADMINISTRATION PRESENT: Town Manager Randy Wingfield; Clerk of Council Michele Stipes; Director of Public Relations Melissa Demmitt; Planning Director Andrew Warren; Assistant to the Town Manager Adam Carpenetti; Public Relations Specialist Anaika Miller; Town Attorney Jim Guynn.

WORK SESSION

I. Call to Order by Mayor Barber

II. Discussions by Mayor and Council Members

A. Jim Guynn of Guynn & Waddell, P.C. to present on Freedom of Information Act (FOIA) and Conflict of Interest Act (COIA).

Town Attorney Jim Guynn briefed Council on current FOIA guidelines pertaining to meetings, documentation, and record retention, and noted that the purpose of the act was to provide transparency in government activities by ensuring ready access to public records and free entry to meetings of public bodies. He explained the definition of “public bodies” and talked about closed/open meeting requirement, including exemptions and protocol for closed meetings. Mr. Guynn then instructed Council on COIA, the primary law governing the financial interests of government appointees, officials, and employees in matters of government contracts and transactions, and explained the definition of “personal interests”, and advised on how to recognize and handle personal interests as government officials. Mr. Guynn also reviewed was prohibited conduct, including insider information and the accepting of gifts, and noted that the Commonwealth’s Attorney enforced the act with respect to municipal officers and employees, and should be consulted on questions pertaining to COIA. Mr. Guynn also talked about the importance of adhering to COIA guidelines with respect to electronic correspondence between council members and cautioned against all-inclusive emails to avoid violations.

B. Discussion of recognition of downtown buildings and arts improvements.

Using PowerPoint, Town Manager Wingfield and Planning Director Warren talked about the Town’s goal to develop a plan to artistically enhance the downtown and Cambria areas, and to recognize the existing private artistic touches such as the fish sculpture and eyeglasses on display near Old Town Mall. Based on a study of the programs in Salem and Wytheville, the Christiansburg program would offer a matching grant up to \$5,000 to encourage private

artistic enhancements to facades or building sites, including landscape designs. The proposed Fiscal Year 2018-19 annual budget includes \$25,000 for the grant program. Town Manager Wingfield recommended the appointment of a committee to review and approve/disapprove grant requests. Councilman Huppert and Councilwoman Sachs recommended including the Planning Commission and the Central Business District Committee, respectively, in the review and approval of applications. Councilman Stipes recommended considering all requests, regardless of the dollar amount, and to not limit requests to a match of \$5,000. Town Manager Wingfield reviewed the details of the program with regards to the types of artistic improvements allowed, and Attorney Guynn cautioned against violating the first amendment when approving and funding art projects. The program is expected to begin in summer 2018, and all property owners in downtown and Cambria are to be notified of the new grant program.

III. Adjournment

The work session of Council was adjourned at 6:50 p.m.

-----*Recess until 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 MARCH 27, 2018 AT 7:00 P.M.

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

ADMINISTRATION PRESENT: Town Manager Randy Wingfield; Clerk of Council Michele Stipes; Town Attorney Theresa Fontana; Director of Public Relations Melissa Demmitt; Finance Director/Treasurer Val Tweedie; Director of Planning Andrew Warren; Assistant to the Town Manager Adam Carpenetti; police Chief Mark Sisson; Fire Chief/Fire Marshal Billy Hanks; human resource Director Dave Brahmstadt; Aquatics Director Terry Caldwell; Assistant Director of Engineering for Capital Projects and Utilities Jessie Nester; Public Works Director Jim Lancianese; Public Works Superintendent of Streets Travis Moles; Public Works Superintendent of Utilities Ryan Hendrix.

I. CALL TO ORDER

- A. Moment of Reflection
- B. Pledge of Allegiance

II. ADJUSTMENT OF THE AGENDA

III. PUBLIC HEARINGS

IV. CONSENT AGENDA

- A. Council meeting minutes of March 13, 2018.



B. Monthly Bills.

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

V. CITIZEN COMMENTS

- A. Cord Hall, 170 Sapphire Avenue, regretfully announced the recent passing of Doris Oliver, a long-term member of the Recreation Advisory Commission, and stated that she epitomized what it meant to be a public servant and she would be missed by many. Mr. Hall then expressed his gratitude to Mayor Barber, Town Council, and the Town as a whole for supporting the nationwide efforts to bring awareness to the problem of child abuse by adopting a proclamation recognizing April as Child Abuse Prevention Month. A child abuse prevention program will be held at the Montgomery County Courthouse on April 26, 6:00 P.M. and Mr. Hall invited all Council to attend to learn about the neurological effects of child abuse.
- B. Chris Waltz, 1370 Rigby Street, voiced concerns with the proposed ordinance to amend Chapter 42 “Zoning” of the Christiansburg Town Code in regards to the definition of “kennel” during the March 13 council meeting and stated that he still had concerns with changing the number of allowable dogs from five to four. He talked about residents who may be in violation of the ordinance because of their number of pets, and he stated that the Town could have worded the amendment in a more effective way to meet the goal of defining an “adult” dog, rather than wording the ordinance to address one specific situation.

VI. INTRODUCTIONS AND PRESENTATIONS

- A. Recognition of Christiansburg High School State Champions:
- \* Christiansburg Wrestling Team 3A State Championship
  - \* Wrestling Individual 3A State Championship – Brandon Crowder (106 pounds)
  - \* Wrestling Individual 3A State Championship – Garrett Kuchan (113 pounds)
  - \* Wrestling Individual 3A State Championship – Marshall Keller (138 pounds)
  - \* Wrestling Individual 3A State Championship – Xander Whitehurst (145 pounds)
  - \* Wrestling Individual 3A State Championship – Nick Giantonio (170 pounds)
  - \* Wrestling Individual 3A State Championship – Erik Eva (182 pounds)
  - \* Wrestling Individual 3A State Championship – Ty Kwak (195 pounds)
  - \* Track and Field Individual 3A State Championship – Cassidy Cromer (pole vault)
  - \* Track and Field Individual 3A State Championship – Kaylyn Cromer (triple jump)

Mayor Barber and Councilman Showalter recognized Cassidy Cromer, Kaylyn Cromer, wrestling coach Cliff Warden, and members of the wrestling team, and presented each with a proclamation recognizing their athletic accomplishments.

- B. Introduction of New Employees:
1. Jessie Nester, Assistant Director, Capital Projects and Utilities, Engineering Department
    - Eli Mannon, Civil Engineer II
  2. Mark Sisson, Police Chief, Police Department, Swore in the officers.
    - Casey Lusk, Police Officer

- Jarrett Rhodes, Police Officer
- 3. Melissa Demmitt, Director of Public Relations, Public Relations Department
  - Casey Jenkins, Events Coordinator. Mr. Jenkins was unable to attend the meeting and the introduction will be postponed until the next regular council meeting.
- C. Montgomery County Board of Supervisors Chairperson Chris Tuck and Vice-Chairperson April DeMotts to provide an update on Montgomery County.

Highlights of their joint presentation are as follows:

- Thanked Christiansburg Town Council for the opportunity to present
- Emphasized the County's goal to become more connected with its town localities
- Presented Montgomery County's recently adopted and reaffirmed Vision Statement
- County Motto is "Freedom Increases Responsibility"
- Provided list of Fire and Rescue issues and opportunities
- Presented state of the county budget
  - Projected growth revenue of \$1.9M for FY 19
  - Believes sales tax loss resulting from internet sales
  - \$1.5M reserved each year for future school construction
- County budget includes the following school expenditures in Town of Christiansburg:
  - Falling Branch Elementary School expansion
  - Expansion of athletic fields and track at Christiansburg High School
    - Potential will exist to host state-wide competitions
    - Should enhance economic development in Town
- Potential raise of 1.5% for teachers
- Potential to correct lagging step increases for long-term employees
- FY 2024/2025 first year that County can incur increased debt service
- Internet access for all students a priority
- County Board Members have expressed loss of sales tax revenue with state legislators
- County intends to increase School Resource Officers for security
  - Funded with potential property tax increase of 1.5 cents

Councilman Huppert noted his 35-year career as a teacher and expressed approval for the proposed pay increase for teachers. Councilman Showalter requested that the County advise the Town how it might help in reducing the loss in sales tax revenue.

- D. Christopher Sanchez, Project Organizer with Christiansburg Institute, Inc. to present in regards to Christiansburg Institute, Inc. budget request. This matter was postponed.
- E. Remon Yassa, Owner/Manager of BP Handy Mart, to present regarding cigarette tax.

Mr. Yassa provided Council with a handout of his proposal that the Town decrease its cigarette tax in the FY 2019 budget from \$4 to \$1 per carton and from \$0.40 to \$0.10 per pack, to boost the overall sales at gas stations and convenience stores in Christiansburg. Mr. Yassa said the Town was losing overall convenience store and gas sales to Montgomery County, which has zero cigarette tax, and he talked about the disadvantage the cigarette tax places on many of Christiansburg's small businesses, noting that it was difficult for convenience stores to remain viable without cigarette sales. Mr. Yassa noted that fifty-six towns/cities in Virginia had zero cigarette tax, and he encouraged Council to give his proposal serious consideration. Mayor Barber asked if the decline in cigarette sales could be because fewer people were smoking, and Mr. Yassa responded that it would not be enough to cause that type of impact. Council thanked

Mr. Yassa for his proposal and agreed to consider his request, and Councilman Bishop thanked him for bringing a solution for Council to consider.

- F. Treasurer/Finance Director Valerie Tweedie to present regarding the proposed Fiscal Year 2018-19 Budget.

Mrs. Tweedie provided Council with a brief overview of how to read and understand the draft budget for its review. She explained process used to develop the budget and the layout of the document designed for ease in reading and referring to specific information. Mrs. Tweedie then reviewed the summary of the budget and walked through each section of the document to explain the content of each section.

Public Works Director Jim Lancianese reported on the capital projects and equipment for the Public Works Department listed in the budget and called attention to the General Fund Capital Projects that included curbside recycling, SCADA upgrades, facility assessment, and UV Disinfection System for the WWTP.

Director of Engineering Wayne Nelson reported on the engineering capital projects included in the budget, and updated Council on the status of traffic signal installation at Quin Stuart Boulevard, Tower Road, and Roanoke Street. Mr. Nelson noted that the retaining wall program construction would be initiated in FY 2019, and he reported on the current status of the various individual projects managed by the Engineering Department.

Rescue Chief Joe Coyle reported on the plans and strategies of the Rescue Department which are focused on excellence in patient care. Mr. Coyle talked about the operations of the department and reviewed trends pertaining to calls, noting that Christiansburg had the highest call volume in Montgomery County with 52% of calls. The department has more than eighty volunteer members and eleven paid staff. Mr. Coyle highlighted volunteerism and talked about the department's volunteer recruiting officer who focuses on recruiting volunteer members through networking with other agencies and schools, and through social media. Mr. Coyle described the staffing needs of the department and requested transitioning the current 32-hour staff to full-time and hiring one EMS supervisor, both of which would be funded by revenue recovery funds.

- G. Human Resources Director Dave Brahmstadt to present on the Human Resources Department.

Mr. Brahmstadt introduced HR Generalist April Overby, and Benefits and HRIS Specialist Diana Pace, then provided Council with an overview of the daily operations of the Human Resources Department, and highlighted the staffing numbers for FY 2018, and department turnover. Mr. Brahmstadt reported that the HR Department utilized the Radford University Industrial Psychology study to determine retention problems at the Police Department with the goal of reversing the retention trend. Workers' Compensation was addressed, and Mr. Brahmstadt talked about the emphasis on driver safety within the Public Works Department aimed at reducing/preventing injuries on the job. Council was provided information on department activities in progress, and Mr. Brahmstadt offered to answer questions of Council. Council thanked Mr. Brahmstadt for his presentation and for the presence of Ms. Overby and Mrs. Pace.

- H. Christiansburg High School Student Government working with Town Council.

Christiansburg High School students Evan Robins, sophomore, and Alayna Heinline, junior, shared with Council updates on the school's newly formed boys and girls lacrosse teams, which both won its first games that were against William Fleming; Black Student Awareness Club recently participated in a social justice event at Virginia Tech; CHS participated in the recent

walk-out in support of the students in Parkland, Florida, and sent a banner and cards to the students expressing support. Council asked the students how they felt about the safety measures at CHS. Alayna Heinline said she believed safety could be improved with a more secure call-in system and additional safety features for the mobile units. Evan Robins expressed support for the SRO program but questioned the efficacy of one officer for a large school like CHS. The students suggested safety measures such as metal detectors, and scan cards for students/parents/staff. Council thanked the Evan and Alayna for their report. Alayna intends to join the army reserves after graduation; as a sophomore, Evan is undecided on his post-graduation plans.

## VII. COMMITTEE REPORTS

- A. Councilman Collins to present 2017 Planning Commission Annual Report.  
Councilman Collins provided Council with a copy of the 2017 Planning Commission Annual Report and encouraged Council to read it to learn of the involvements and actions of the Planning Commission in 2017.

## VIII. DISCUSSION BY MAYOR AND COUNCIL

- A. Council action on:
1. Ordinance to Amend and Clarify Chapter 42 “Zoning” of the Christiansburg Town Code in regards to the definition of “kennel”. The Public Hearing was held March 13, 2018. The Planning Commission unanimously recommended approval.

Planning Director Andrew Warren clarified that the proposed ordinance amendment did not change the number of allowable dogs and cats, but simply changed the language pertaining to the definition of “adult” dog/cat. Councilman Stipes made a motion to adopt the ordinance amendment as presented, seconded by Councilman Huppert. Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

2. Appointment to New River Valley Emergency Communications Regional Authority (911 Authority) Board.

Fire Chief Billy Hanks currently serves as Christiansburg representative though has expressed a desire to not longer serve. Town Manager Wingfield has agreed to serve on the authority board, and on motion by Councilman Stipes, seconded by Councilman Collins, Council voted to appoint Randy Wingfield to the NRV Emergency Communications Authority Board as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye. On behalf of Town Council, Mayor Barber thanked Mr. Hanks for his service to the Town, noting he was an asset on the 911 Authority due to his emergency services experience.

## X. STAFF REPORTS

- A. Town Manager Wingfield:  
- A budget work session was scheduled for April 3, 2018 at 5:30 pm.
- B. Town Attorney:
- C. Other Staff:

## XI. COUNCIL REPORTS

- A. Councilwoman Sachs – No report.
- B. Councilman Huppert commended Town staff on the draft budget, and the Public Works crews for their efforts in clearing the streets during the recent snow storm.
- C. Councilman Stipes commended Town staff on preparation of the draft budget.
- D. Councilman Showalter commended Town staff on the preparation of the draft budget and expressed appreciation for the staff present that provided an overview of the document.
- E. Councilman Collins reported that David Hagan had been awarded NRV Regional Commission's *NRV Citizen of the Year*, after being nominated by Councilmen Collins and Showalter, and noted that the vote was regional and unanimous in support of Mr. Hagan. Mr. Hagan will be recognized at the annual meeting at Sinkland Farms on May 15, and Mr. Collins encouraged all Council to attend. P. Buckley Moss was also awarded *NRV Citizen of the Year*. Mr. Collins then expressed support for posting signs in town in support of the Christiansburg High School athletic champions.
- F. Mayor Barber presented Council with a resolution in support of recognizing April as Child Abuse Prevention Month. Councilman Showalter made a motion to adopt the resolution, seconded by Councilman Bishop. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

## XII. OTHER BUSINESS

## XIII. ADJOURN

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 9:25 P.M.

\_\_\_\_\_  
Michele Stipes, Clerk of Council

\_\_\_\_\_  
D. Michael Barber, Mayor



Mr. Teddy McCracken  
Secretary  
Kiwaniis Club of Christiansburg  
PO Box 313  
Christiansburg, Virginia 24068  
(540) 577-0854  
tmccracken@moog.com

March 15, 2018

Mr. Brad Epperley  
Director  
Parks and Recreation  
Town of Christiansburg  
1600 North Franklin Street  
Christiansburg, Virginia 24073

Re: Kiwanis Park Scoreboards

Dear Mr. Epperley:

1. Per the Operating Agreement in place, dated March 28, 2017, between the Town of Christiansburg and the Kiwanis Club of Christiansburg, the Owner may amend the ownership and / or rights to the signage within Kiwanis Park by approval in writing. Through this letter, the Kiwanis Club of Christiansburg grants express permission for the Town of Christiansburg Department of Parks and Recreation to assume ownership of the scoreboards, located in Kiwanis Park at 310 Kiwanis Lane SE Christiansburg, Virginia, beginning March 18, 2018, and subject to the terms in this letter, including the terms in Paragraphs 2 and 3. Subject to the terms in this letter including the terms in Paragraphs 2 and 3, ownership of the scoreboards at Kiwanis Park, by the Town of Christiansburg Department of Parks and Recreation, is to include advertising, alterations, improvements, and maintenance and / or replacement of the scoreboards.
2. The Kiwanis Club of Christiansburg reserves the rights to control the wording and emblems of the bottom banners of the scoreboards at Kiwanis Park for the purpose(s) of displaying the Kiwanis Club of Christiansburg's emblems and messages and / or for whatever purpose(s), message(s), and emblem(s), the

Kiwanis Club of Christiansburg approves, according to the discretion of the Kiwanis Club of Christiansburg. Currently displayed on the bottom banners is the text: "W. Ward Teel Field".

3. The Kiwanis Club of Christiansburg also reserves the right to refuse, at the discretion of the Kiwanis Club of Christiansburg, advertisements and / or advertisers which are not consistent with the mission of the Kiwanis Club of Christiansburg within the community, and / or for any other reason(s) approved by the Kiwanis Club of Christiansburg.

Sincerely,



Teddy McCracken  
Secretary  
Kiwanis Club of Christiansburg

**KIWANIS CLUB OF CHRISTIANSBURG  
PARK OPERATING AGREEMENT**

THIS PARK OPERATING AGREEMENT ("Agreement") is made this 14<sup>th</sup> day of February, 2017, by and between KIWANIS CLUB OF CHRISTIANSBURG, a non-stock corporation, herein referred to as "Owner," and TOWN OF CHRISTIANSBURG, VIRGINIA, a municipal corporation, Grantee, herein referred to as "Town."

**WITNESSETH:**

WHEREAS, Kiwanis Club of Christiansburg is the sole owner of the parcel known as Kiwanis Park which is further identified as tax parcels 528-((A))-88 and 528-((A))-80; and

WHEREAS, Town of Christiansburg desires to have use and programming access to Kiwanis Park for the purpose of providing public athletic, recreational, and social programming and conducting activities consistent with the purpose of the facility;

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties hereby agree as follows:

**DESCRIPTION OF THE PREMISES**

Owner agrees to allow the Town to use and access Kiwanis Park, containing a total of 5.77 acres, more or less, designated as tax map numbers 528-((A))-88 and 528-((A))-80, which parcels are hereinafter referred to as the "Park," pursuant to the terms and conditions set forth herein.

**USE OF PREMISES AND TERM**

Until terminated by one or both of the parties in writing, Town may access and use the Park for providing public athletic programs, recreational activities, social events, and other activities consistent with the purpose of the facility, including allowing other organizers, subject to the liability provisions below, to conduct such public activities at the Park. Town acknowledges that Owner has a communications facility at the Park with Verizon as a tenant. Owner retains and reserves the right to sub-lease future similar installations along with other uses provided it does not interfere with Town's use and access. Town agrees it will not interfere with Verizon's or any other's use and access to the communication facility and will cooperate with Verizon or other lessee's when they require access to maintain the communications or other facilities.

**MAINTENANCE**

Town will maintain the grounds and facilities and have the right to make improvements to the Park but any new building project will require approval from Owner in writing in advance of commencing work at the Park.



INSURANCE

Owner carries a liability policy for the Park. As long as town has access and use of the Park, Town agrees to fully reimburse Owner annually for the cost of this insurance policy upon Owner presenting proof of payment. Town will carry Comprehensive General Liability insurance in the following amounts:

<u>\$1,000,000.00</u>	Each Occurrence
<u>\$1,000,000.00</u>	Personal & Adv Injury
<u>\$2,000,000.00</u>	General Aggregate

Any major event organizer working with the Town that will access and use the Park for an activity, recreational program, or other event, must agree to indemnify and hold harmless Owner and the Town and carry a \$1,000,000.00 General Liability Policy, which also covers contractual liability, naming the Town and Owner as additional insureds. This insurance coverage requirement does not apply to small groups renting shelters, family events, or similar uses.

SIGN

Town will recognize the joint interests of the Owner and Town in serving the public by displaying a sign acknowledging cooperation and the benefit to the public. The sign will display the logos of the Town of Christiansburg, the Kiwanis Club, and the Christiansburg Parks and Recreation Department.

SIGNAGE

Owner retains and reserves all rights to advertising and signage within the Park, including scoreboards, billboards, sponsorship signage and banners, unless approved in writing by the Owner.

PARK USE POLICY

Town will develop a policy concerning the access and use of the Park by the Town and other organizers. Town will consult with the Owner's liaison on the proposed rules to assure consistency with the Owner's values and mission. Owner reserves the right to refuse any other organizers, building projects or improvements which are not consistent with Owner's values or objectives. Improvements by either party will be coordinated with the Town and Owner through the Owner's liaison.

GIFT OF PARK BY OWNER TO TOWN UPON DISSOLUTION

In the event that Owner, Kiwanis Club of Christiansburg, dissolves or no longer desires to operate as a non-stock corporation in Virginia, Owner agrees to donate the Park and any improvements and appurtenances thereto, to the Town of Christiansburg with the provision that it

always be used for youth recreation.

ENTIRE AGREEMENT

This Agreement represents the entire understanding between the parties, and there are no collateral or other oral agreements or understandings.

APPLICABLE LAW/SEVERABILITY

This Agreement shall be governed by the laws of the Commonwealth of Virginia. Any provision of this Agreement which is prohibited by, or unlawful, or unenforceable under Virginia law shall be ineffective only to the extent of such prohibition, without invalidating the remaining provisions of this Agreement.

NOTICES

In addition to written notices delivered in person or by certified mail, return receipt requested, (postage prepaid) any written notices permitted by this Agreement may be sent by mail to the Owner and Town at the addresses set forth below. If e-mail delivery is used, the sender shall retain sufficient proof of the electronic delivery, which may be an electronic receipt of delivery, a confirmation that the notice was sent by facsimile, or a certificate of service prepared by the sender confirming electronic delivery.

Owner's address: P.O. Box 313, Christiansburg, VA 24068-0313

Town's Address: Town Manager, 100 E. Main Street, Christiansburg, VA 24073

GENERAL PROVISIONS

The parties, having read and understood the provisions of this Agreement, agree for themselves, their successors, and assigns to be bound thereby.

IN WITNESS WHEREOF, the parties have executed this lease on the 28<sup>th</sup> day of March 2017.

KIWANIS CLUB OF CHRISTIANSBURG

By: Robert A. Lewit

Name: Robert A. Lewit

Title: President

COMMONWEALTH OF VIRGINIA )  
COUNTY OF MONTGOMERY ) to-wit:

The foregoing instrument was acknowledged before me, a Notary Public in and for the Commonwealth of Virginia at-large, this 30<sup>th</sup> day of ~~February~~ <sup>March</sup>, 2017, by ROBERT A. LEWIT, its PRESIDENT (title), on behalf of Kiwanis Club of Christiansburg.

Michael Barber

Notary Public

Registration No.: 280671

My Commission Expires: 02-29-2020



TOWN OF CHRISTIANSBURG

By: [Signature]

Name: R. Steve Biggs

Title: Town Manager

COMMONWEALTH OF VIRGINIA )

COUNTY OF MONTGOMERY ) to-wit:

The foregoing instrument was acknowledged before me, a Notary Public in and for the Commonwealth of Virginia at-large, this 28<sup>th</sup> day of March, 2017, by R. Steve Biggs, its Christiansburg Town Manager (title), on behalf of the Town of Christiansburg.



Tracy Jeanette Heinline

Notary Public

Registration No.: 7110793

My Commission Expires: 1/31/19

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## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding sets out the guiding principles for the bike sharing program to be established by Virginia Polytechnic Institute and State University, the Towns of Blacksburg and Christiansburg, Virginia, and Montgomery County, Virginia.

### Organization

- The bikeshare program will be regional in nature and will initially include the following entities:
  - Town of Blacksburg
  - Virginia Tech
  - Town of Christiansburg
  - Montgomery County
- Partners may exit after providing sixty (60) days written notice to all other partners. If a partner exits, payments will be due through the end of the contract year and all infrastructure (e.g., signs, racks) will be removed from the partner's jurisdiction at the end of the contract year. Other partners may be added in the future.
- The MPO will establish an Advisory Committee consisting of one voting member from each of the partner entities, and non-voting members. The Advisory Committee will provide general oversight for the program.
- The Town of Blacksburg will administer the program, including the following:
  - Procurement,
  - contract administration, and
  - grants
- This MOU documents the binding payment commitments, and payment schedule, contained in Exhibit 1.

### Funding

- The funding split will be determined by the number of bike stations in each jurisdiction. For Year 1, eight (8) stations will be at Virginia Tech, two (2) in Blacksburg, two (2) in Christiansburg and none in Montgomery County, for a total of 12. Therefore the funding split is: Virginia Tech 66.7%, Blacksburg 16.7%, Christiansburg 16.7%, and Montgomery County zero percent.
- Year 1 begins with the date of execution of the contract with the contractor, which is February 8, 2018, and ends on February 7, 2019. The contract has provisions for four option years, for a total potential contract term of up to five years.
- The initial grant from DRPT, approved in Fiscal Year 2017-18, provides a total of \$200,000 in state funds, with a minimum local match of \$50,000, for a total of \$250,000.
- The DRPT grant is not expected to be recurring, although there may be opportunities for future grant requests. Financial support for future years will be provided through memberships, sponsorships and funding from the partners.

- The Year 1 contract amount is \$216,500, of which \$43,300 will be provided by the parties. The payment schedule, including due dates, is incorporated as Exhibit 1.

Operation

- The parties intend for a contractor to enter into an agreement with the Town of Blacksburg to provide all services on a turnkey basis, including, but not limited to the following: equipment (bikes, signs, racks, etc.), software (monitoring, tracking, reporting), marketing, sale of memberships and sponsorships, customer support, balancing, maintenance, and all other aspects of operation of the program.
- Bikes will be leased from the contractor.
- Racks, information panels and other infrastructure will be purchased from the contractor.
- Branding guidelines as well as colors and name will be provided to the contractor.

If the project ends, ownership of the remaining assets in each partner’s jurisdiction will become the property of that partner.

The parties, through their authorized representatives, indicate their agreement to the principles below:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**TOWN OF BLACKSBURG, VIRGINIA**

By: \_\_\_\_\_  
 Marc A. Verniel, Town Manager

Approved as to form and legal sufficiency:

\_\_\_\_\_  
 TOWN OF BLACKSBURG,  
 VIRGINIA

**VIRGINIA POLYTECHNIC INSTITUTE AND  
 STATE UNIVERSITY**

By: \_\_\_\_\_

Approved as to form and legal sufficiency:

\_\_\_\_\_  
 VIRGINIA POLYTECHNIC INSTITUTE  
 AND STATE UNIVERSITY

**TOWN OF CHRISTIANSBURG, VIRGINIA**

By: \_\_\_\_\_  
Randy Wingfield, Town Manager

Approved as to form and legal sufficiency:

\_\_\_\_\_  
TOWN OF CHRISTIANSBURG,  
VIRGINIA

**MONTGOMERY COUNTY, VIRGINIA**

By: \_\_\_\_\_  
Craig Meadows, County Administrator

Approved as to form and legal sufficiency:

\_\_\_\_\_  
MONTGOMERY COUNTY,  
VIRGINIA

**EXHIBIT 1: BIKESHARE PAYMENT SCHEDULE - YEAR 1 (\*)**

Payment Number	Milestone	Payment		Virginia Tech	Christiansburg	Blacksburg	Montgomery County	Total
		Due to Gotcha	Due to TOB (**)					
	Number of Stations	-	-	8	2	2	0	12
	Percent of Match	-	-	66.67%	16.67%	16.67%	0%	100%
	Contract Execution	2/8/2018						
1	Purchased Items (25%) + Leased Items (25%)	3/8/2018	2/21/2018	\$ 7,217	\$ 1,804	\$ 1,804	\$ -	\$ 10,825
2	Purchased Items (75%)	4/8/2018	3/21/2018	\$ 7,340	\$ 1,835	\$ 1,835	\$ -	\$ 11,010
3	Leased Items (25%)	6/8/2018	5/24/2018	\$ 4,770	\$ 1,193	\$ 1,193	\$ -	\$ 7,155
4	Leased Items (25%)	10/8/2018	9/23/2018	\$ 4,770	\$ 1,193	\$ 1,193	\$ -	\$ 7,155
5	Leased Items (25%)	2/8/2019	1/24/2019	\$ 4,770	\$ 1,193	\$ 1,193	\$ -	\$ 7,155
	TOTAL			\$ 28,867	\$ 7,217	\$ 7,217	\$ -	\$ 43,300
	(*) These payments represent 20% of the total amount of each payment to Gotcha. The remaining 80% is covered by a grant.							
	(**) Virginia Tech, Christiansburg, and Montgomery County shall provide their share of each payment to the Town of Blacksburg, ATTN: Finance Department, 300 S. Main Street, Blacksburg, VA 24060 not later than 15 days prior to the due date of each payment. Or, a single check may be issued for the entire amount.							
	4/2/2018							



# TOWN OF CHRISTIANBURG

*Established November 10, 1792*

*Incorporated January 7, 1833*



## **RESOLUTION RECOGNIZING APRIL 8-14, 2018 AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK**

WHEREAS, emergencies can occur at any time that require police, fire or emergency medical services; and,

WHEREAS, when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and,

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the New River Valley Emergency Communications Regional Authority; and,

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and,

WHEREAS, Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety; and,

WHEREAS, Public Safety Telecommunicators of the New River Valley Emergency Communications Regional Authority have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and,

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Christiansburg, Virginia declares the week of April 8 through 14, 2018 to be National Public Safety Telecommunicators Week in the Town of Christiansburg, Virginia in honor of the men and women whose diligence and professionalism keep our town and citizens safe.

Upon a call for an aye or nay vote on the foregoing resolution at a regular meeting of the Council of the Town of Christiansburg, Virginia held April 10, 2018, members of Council stood opposite their names as indicated:

AYE                      NAY                      ABSTAIN                      ABSENT

D. Michael Barber, Mayor\*

Samuel M. Bishop

Harry Collins

Steve Huppert

Merissa Sachs

Henry D. Showalter

Bradford J. Stipes

\*Votes only in the event of a tie.

\_\_\_\_\_  
Michele M. Stipes, Clerk of Council

\_\_\_\_\_  
D. Michael Barber, Mayor

# TOWN OF CHRISTIANSBURG

*Established November 10, 1792*

*Incorporated January 7, 1833*



## PROCLAMATION WEEK OF THE YOUNG CHILD – APRIL 16-20, 2018

**WHEREAS**, the Town of Christiansburg, along with several local organizations and the National Association for the Education of Young Children (NAEYC), is celebrating the Week of the Young Child™, April 16-20, 2018; and

**WHEREAS**, these organizations are working to promote and inspire high quality early childhood experiences for our state's youngest citizens that can provide a foundation of learning and success for children in Virginia; and

**WHEREAS**, teachers and others who work with or on behalf of young children, birth through age eight, who make a difference in the lives of young children in the Town of Christiansburg deserve thanks and recognition; and

**WHEREAS**, public policies that support early learning for all young children are crucial to young children's futures and to the prosperity of our society; and

**NOW, THEREFORE, BE IT PROCLAIMED** that Mayor Barber and Christiansburg Town Council do hereby proclaim April 16-20, 2018, as the Week of the Young Child™ in the Town of Christiansburg and encourage all citizens to work to support and invest in early childhood.

---

D. Michael Barber, Mayor

# TOWN OF CHRISTIANBURG

*Established November 10, 1792*

*Incorporated January 7, 1833*



## PROCLAMATION

### National Work Zone Awareness Week

**WHEREAS**, work zone crews risk their own safety every day to improve the safety and efficiency of our infrastructure, including roads and utility lines; and

**WHEREAS**, the most common factors in motor vehicle wrecks in construction zones are careless driving, speeding and failure to obey signage; and

**WHEREAS**, nationwide, an average of 70 work zone crashes occur every day that result in at least one injury; and

**WHEREAS**, awareness of work zones encourages drivers to travel through work zones with caution, protecting themselves, their passengers and our work zone crews;

**NOW, THEREFORE, BE IT PROCLAIMED** that the Christiansburg Town Council declares the week of April 9-13, 2018 as National Work Zone Awareness Week in Christiansburg, Virginia, and does call upon the citizens of Christiansburg to slow down and devote their undivided attention in work zones to help eliminate work zone accidents.

ADOPTED this 10<sup>th</sup> day of April, 2018.

---

D. Michael Barber, Mayor



**TOWN OF CHRISTIANSBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**

Consent Agenda

**Meeting Date:**

April 10, 2018

**ITEM TITLE:** Primary Extension Paving  
Notice of Intent to Award

**DESCRIPTION:** Notice of Intent to Award a Contract to Adams Construction Company for paving Primary Extension streets. This work will including repairing and resurfacing Cambria Street from North Franklin Street to the Rail Crossing and will also include resurfacing North Franklin Street from Water Street to Independence Boulevard.

**POTENTIAL ACTION:** Approve Notice of Intent to Award and authorize the Town Manager to enter into Contract for the referenced Work.

**DEPARTMENT:**

Engineering

**PRESENTER:**

Wayne Nelson

**ITEM HISTORY:**

**Information Provided:** Notice of Intent to Award

<https://christiansburg.box.com/s/ii51oop31w8jcsnoanz63v8dfzfer53c>