

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
REGULAR MEETING MINUTES  
JANUARY 8, 2019 – 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 JANUARY 8, 2019 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; Assistant Town Manager Andrew Warren; Clerk of Council Michele Stipes; Town Attorney Jim Guynn; Finance Director/Treasurer Val Tweedie; Public Relations Director Melissa Demmitt; Director of Engineering Wayne Nelson; Planning Director Will Drake; Aquatics Director Terry Caldwell; Police Chief Mark Sisson.

**I. CALL TO ORDER**

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

**II. ADJUSTMENT OF THE AGENDA**

- A. Town Manager Wingfield requested the following adjustments to the agenda:
  1. Item IV. A. I. - Change the Public Hearing date to March 12, 2019.
  2. Item XI.A. and XI.B. - Change the date to 2019.

**III. PUBLIC HEARING**

**IV. CONSENT AGENDA**

- A. Council meeting minutes of December 11, 2018.
- B. Monthly bill list dated December 31, 2018.
- C. Police Department vehicle contract for four police Interceptor utility vehicles from Sheehy Ford in the amount of \$120,270.40.
- D. Change Order for 2019 Primary Extension and Annual Paving.
- E. Resolution recognizing Chris Tuck for his service as Chair of the Montgomery County Board of Supervisors.
- F. Schedule Public Hearing on February 12, 2019 for an Ordinance to Amend Chapter 26, Public Safety by Enacting Article IV. Special Events and Other Outdoor Assemblies.
- G. Schedule Public Hearing on February 26, 2019 for an ordinance to amend Chapter 42, "Zoning" of the Christiansburg Town Code for the purpose of amending the permitted uses in the I-2, General Industrial District.

- H. Schedule Public Hearing on February 26, 2019 for an ordinance to amend Chapter 42, "Zoning" of the Christiansburg Town Code for the purpose of clarifying permitted automotive service uses, including towing services, in the Business and Industrial zoning districts.
- I. Schedule Public Hearing on March 13, 2019 for a rezoning request by F&B LAND, LP for an amendment to proffers on an approximately 38-acre portion of tax map no. 525-A-4, located north of Diana Dr. N.W., east of Aldwych Ave. N.W., and south of Kensington Way, N.W. in the Kensington Subdivision. The property is zoned MU-1 with proffers and the request is to amend the proffers accepted with the 2006 rezoning action.

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

## V. INTRODUCTIONS AND PRESENTATIONS

- A. Marty Gordon to present on the Public Art & the Arts Council.  
Marty Gordon reported on one organizational meeting discussing efforts to create a Christiansburg Arts Council, hosted by Linda and Bernie Wurtzburger of The Oaks Victorian Inn, and Montgomery Museum, which focused on finding measures to promote art and encourage the involvement of business owners in producing public art specific to their business. Mr. Gordon talked about the importance of creating a theme that would provide a central focus and consistency for the placement of public art, and noted that the group had identified twelve public-owned locations for the possible placement of major art. Mr. Gordon shared photos of various monuments/murals/artwork from around the country as examples for Christiansburg and he offered three phases for moving forward with the Christiansburg arts program: Phase I, form a group to establish an art theme; Phase II, consider the tourism perspective; Phase III, consider what Christiansburg has to offer as a community. Councilwoman Sachs said the Central Business District Committee has a great interest in community arts and invited Mr. Gordon to meet with them, and Councilman Showalter recommended charging the Central Business District Committee and the Christiansburg Arts Council with creating a theme that would focus on Christiansburg's investment in youth and young adult sports, and would complement its branding.

## VI. CITIZEN COMMENTS

- A. Angela McGoldrick, a Christiansburg resident and Airbnb owner, recently learned of the proposed homestay ordinance and expressed concern with the proposed limited number of days a property can be used as rental. Ms. McGoldrick wants Council to understand the concerns of the citizens and requested a delay in Council action to allow for more discussion. Ms. McGoldrick noted she spoke with Planning Commissioner Jennifer Sowers who had no opposition to additional discussion on this matter.
- B. Linda Wurtzburger, 311 E. Main Street, owner of The Oaks Victorian Inn, outlined to Council Virginia State Senate Bill 1578 in reference to the requirements for short-term rental properties, and State Code pertaining to the regulations for bed and breakfasts. Ms. Wurtzburger talked about the differences in requirements for licensed bed and breakfasts and unregulated Airbnb rentals, which she expressed created an unviable nature for bed and breakfast businesses. Ms.

Wurtzburger asked the Town to require Airbnb owners to register as *hosts*, pay lodging tax and income taxes, carry liability insurance, and obtain appropriate home inspections.

- C. Elaine Blackburn, 1219 Stafford Drive, Airbnb owner, talked about insurance required and provided by Airbnb, and expressed concern with the proposed 90-day limit on the number of days a property can be rented in a year. Ms. Blackburn said she rented her property 148 days in 2017, and noted that the income was claimed on tax returns and that she complies with safety inspections. Ms. Blackburn questioned how the Town planned to collect taxes on Airbnb rentals, and when the new ordinance would take effect.
- D. Merrie Winfrey, 555 Depot Street, N.E., Airbnb owner, said her initial concerns were addressed during the Planning Commission Public Hearing. Ms. Winfrey said she rents out her entire house approximately 15 nights per year and asked that, if the Town decided to require homestay owners to register as *hosts*, that an exception be made for homes rented on a limited basis. Also, she asked the Town to review *Town Code, Chapter 18* with regards to monthly filing requirements for Airbnb owners. Ms. Winfrey asked for details on reporting requirements and expressed her expectation that Airbnb owners be offered the 3% transient lodging discount offered to hotels for timely monthly reporting. Mayor Barber and Town Manager Wingfield clarified that the 3% discount for timely filing and payment was on the gross tax, not on the tax percentage.
- E. Deveron Milne, 1275 Tranquility Via, addressed Council regarding the revoking of his rescue squad membership by Chief Joe Coyle on December 23, 2018. Mr. Milne, a seventeen-year active member of the squad and twelve-year paramedic, said the revocation came without explanation, except that his membership contract contained an "at-will" clause. Mr. Milne expressed concern that the required processes of the "at-will" clause did not occur, as there were no notices or warnings issued to him. Mr. Milne expressed dissatisfaction with the loss of his membership, and questioned the way it was handled, and he requested the Town facilitate a meeting to resolve the issues surrounding this situation.
- F. Jonathan Chris, 35 Heather Drive, Airbnb owner, expressed concerns with the proposed homestay ordinance, and with the lack of communication to Airbnb owners on effective dates and filing requirements. Mr. Chris said he did not want to be in violation of Town Code, and asked Council to delay action to allow for further discussion and communication with citizens.
- G. Ed Blackburn, 1219 Stafford Drive, Airbnb owner, asked that citizen concerns be given consideration before Council action. He noted that there were eighty-nine Airbnbs in Christiansburg and expressed concern with the small representation at tonight's meeting. Mr. Blackburn suggested the Town notify Airbnb homeowners of the proposed ordinance, and he reiterated citizen concerns with the limit on the number of rental days allowed. Such a limit would penalize successful Airbnb's, according to Mr. Blackburn, and he noted that people renting Christiansburg Airbnb's were spending money in Christiansburg.
- E. Amelia Tuckwiller, Sequoia Circle, Airbnb owner, asked Council to delay voting on the matter to allow time to address questions and to clarify gray areas, including whether or not the homestay ordinance would affect student housing.
- F. Anna Rossamondo, manager of an Airbnb rental at 525 Depot Street, N.E., talked about her successes as an Airbnb "Super Host" and expressed a willingness to comply with Town

regulations. However, she further expressed concern with the proposed 90-day rental limit, which she believes to be unfair, and asked Council to delay its vote for further discussion.

## VII. COMMITTEE REPORTS

- A. Councilman Huppert commented on the Town's accomplishments in 2018 and reported on the New Year's Eve Splash at the aquatic center on December 30. Mr. Huppert shared photos from the event and talked about the new fee structure for 2019 designed to encourage participation at the facility. He wished all a Happy New Year.
- B. Councilman Showalter commented on the significant attendance at the New Year's Eve Splash and commended facility staff on a well-organized event. Mr. Showalter talked about his children's positive experiences lifeguarding at the aquatic center and urged others to encourage the young people in their lives to become involved with lifeguarding as a character-building activity. Mr. Showalter asked the Airbnb owners present if they had bookings related to aquatic center meets; many who were present said they did.
- C. Councilwoman Sachs reported on the successful "Safe Ride Home" program on December 31, in partnership with Hooptie Ride, Help Save the Next Girl, and the Police Department. Ten individuals used the free service on New Year's Eve, and no DUI's were reported. Ms. Sachs reported that the Central Business District Committee has requested offering the same service on St. Patrick's Day and would continue discussions at the next committee meeting.
- D. Councilman Stipes reported that he toured the Virginia Tech Montgomery Executive Airport today in preparation for his service as the Town's representative on the Virginia Tech Montgomery Executive Airport Authority. Mr. Stipes talked about the Town's partnership in the airports in Blacksburg and Dublin, and the importance of both airports to area industry. Mr. Stipes will report to Council on the authority every six months.
- E. Mayor Barber reminded Council of the deadline for 2018 Conflict of Interest filings.

## VIII. DISCUSSION BY MAYOR AND COUNCIL

- A. Council action on:
  - 1. Ordinance to amend Chapter 42, "Zoning" of the Christiansburg Town Code for the purpose of permitting and regulating homestay / short-term rentals as accessory uses to residential dwellings. The Public Hearing was held December 11, 2018. The Planning Commission Public Hearing was held November 19, 2018.

Noting the concerns voiced regarding the proposed ordinance amendment, Councilman Huppert made a motion to delay action on the matter and to hold a special meeting for purposes of a work session for further discussion. Councilman Bishop seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye. The work session was scheduled for January 17, 2019 at 6:00 P.M. Mayor Barber noted that public comment would not be allowed during the work session and he requested that all public comments be provided to the town in writing by January 16, 2019. Councilwoman Sachs encouraged the Airbnb owners present to share information on the work session with individuals in the community that may be interested in attending. She noted that all information pertaining to meetings of Council can be found on the Town's website, and that citizens can also sign up for personal notification through the website.

2. Resolution to approve Budget Amendment #1 to the 2018-2019 fiscal year budget. The Public Hearing was held December 11, 2018.

Councilman Stipes made a motion to approve the Budget Amendment #1 as presented, seconded by Councilwoman Sachs. Council voted on the motion as follow: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

3. Resolution to approve the Appropriation of Funds per the Budget Amendment #1. The Public Hearing was held December 11, 2018.

Councilman Stipes made a motion to approve the Appropriation of Funds per the Budget Amendment #1 as presented, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

## IX. STAFF REPORTS

### A. Town Manager Wingfield:

- Keith Hartman of the Small Business Development Center was close to hiring a representative to serve the New River Valley. He will bring a presentation to Council once they have set up an office at the NRV Regional Commission.
- A Façade Grant Program public input meeting is scheduled for January 10, 2019 at Amelia's.
- Work sessions were scheduled as follows:
  1. January 17, 2019, 6:00 P.M. - To discuss proposed homestay ordinances (Ch. 42 and Ch. 18).
  2. January 29, 2019, 6:00 P.M. – Salary survey, Master Task List, Special Events/Demonstrations Ordinance.

### B. Town Attorney:

### C. Other Staff:

## X. COUNCIL REPORTS

## XI. OTHER BUSINESS

### A. Re-organization for the Year 2019:

1. Election of Vice-Mayor. Councilman Stipes made a motion to nominated Steve Huppert, seconded by Councilman Showalter. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.
2. Set regular meeting dates of Council. Councilman Showalter made a motion to set the regular meeting dates of Council as the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month at 7:00 P.M. Councilman Collins seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.
3. Appointment to Committees of Council by Mayor Barber:
  - a. Water, Sewer, Solid Waste, and Stormwater Committee – Sachs and Showalter

- b. Street Committee – Collins and Stipes
- c. Finance Committee - Showalter and Stipes
- d. Emergency Services Committee – Bishop and Huppert
- e. Public Health and Welfare Committee – Ad hoc
- f. Central Business District Committee – Bishop and Sachs
- g. Council on Human Relations Committee – Ad hoc

Councilman Stipes made a motion to accept the appointments, seconded by Councilman Showalter and voted upon as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye. Councilman Showalter added a reminder that all Council appointees to town commissions, committees and boards should come before Council for introduction prior to (re)appointment.

B. Closed Meeting:

- 1. Councilman Huppert made a motion to enter into a Closed Meeting under 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. The Closed Meeting is being held for discussion of personnel, specifically the appointment of officers for the year 2019. Councilman Showalter seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.
- 2. Reconvene in Open Meeting.
- 3. Certification. Councilman Huppert 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. The motion was seconded by Councilwoman Sachs and Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes - Aye.
- 4. Council action on the matters. Council appointed Town officers as follows.

C. Appointment of Officers:

- 1. Town Manager – Councilman Stipes made a motion to reappoint Randy Wingfield to serve as Town Manager, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Ayes; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.
- 2. Finance Director/Treasurer - Councilman Stipes made a motion to reappoint Valerie Tweedie to serve as Finance Director/Treasurer, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.
- 3. Police Chief - Councilman Stipes made a motion to reappoint Mark Sisson to serve as Police Chief, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

4. Clerk of Council - Councilman Showalter made a motion to reappoint Michele Stipes to serve as Clerk of Council, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Ayes; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Abstain.
5. Town Attorney - Councilman Stipes made a motion to reappoint Guynn, Waddell, Carroll, & Lockaby to serve as Town Attorneys, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Ayes; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

XII. ADJOURN

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 9:48 P.M.

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Michele Stipes, Clerk of Council

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D. Michael Barber, Mayor