

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
JANUARY 22, 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 22, 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; Assistant Director of Engineering Steve Palmer; Assistant to the Town Manager Adam Carpenetti; Police Chief Mark Sisson; Public Works Director Jim Lancianese.

I. CALL TO ORDER

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

II. ADJUSTMENT OF THE AGENDA

1. Town Manager Wingfield requested the addition of a Closed Meeting in accordance with Code of Virginia § 2.2-3711(29) pertaining to the performance agreement for the development of the Marketplace Shopping Center.

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

The item was placed as Item A under Other Business.

III. PUBLIC HEARING

IV. CONSENT AGENDA

- A. Council meeting minutes of January 8, 2019.
- B. Monthly Bills.
- C. Construction Contract with Orders Construction Company, Inc., in the amount of \$1,463,975, for the WWTP UV Project.
- D. Engineering Contract with Hazen & Sawyer, in the amount of \$ 168,020, for the WWTP UV Project.
- E. Schedule Public Hearing on February 12, 2019 for an Ordinance to Amend Chapter 18, Finance and Taxation -- Article VII. Transient Lodging in regards to Homestay uses.

- F. Schedule Public Hearing on March 12, 2019 for a rezoning request by Cambria Storage Partners, LLC, agent for Kenson, Inc for an approximately 4-acre property located at 300 and 390 Cambria Street, N.W. (tax map no. 466-27-A) from the B-1, Limited Business District to the MU-1, Mixed Use: Residential-Limited Business District. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.
- G. Schedule Public Hearing on March 12, 2019 – contingent on the preceding item – for a conditional use permit request by Cambria Storage Partners, LLC, agent for Kenson, Inc. for mini-warehouses and related retail at 300 and 390 Cambria Street, N.W. (tax map no. 466-27-A) in the MU-1, Mixed Use: Residential-Limited Business District.
- H. Schedule Public Hearing on March 12, 2019 for a conditional use permit request by Cole Shows Amusement Co Inc, agent for NRV Mall Associates LLC for a carnival at 782 New River Road, N.W., (tax map no. 435-A-41) in the B-3, General Business District.

Councilman Stipes requested that Item C be voted on separately due to a potential conflict of interest resulting from his contact with Orders Construction through his job.

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

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

V. INTRODUCTIONS AND PRESENTATIONS

A. Introduction of New Employees:

- 1. Jim Liancianese, Public Works
 - Don Cole, Superintendent, Utilities
- 2. John Kirtner, Public Works
 - Ray Grehofsky, Maintenance
- 3. Eli Mannon, Engineering
 - Samantha (Sam) Holtzscheiter, Civil Engineer I

B. Public Relations Director Melissa Demmitt to present the recognition of MELD Manufacturing for being named a winner and receiving the “Market Disruptor” accolade at the R&D 100 Awards.

Public Relations Director Melissa Demmitt introduced MELD Manufacturing Corporation CEO Nanci Hardwick, and talked about the innovative MELD technology that produces stronger, better quality, metal products than traditional metal manufacturing. Ms. Demmitt read the Resolution in Recognition of MELD Manufacturing for being named a winner and receiving the 2018 “Market Disruptor” award at the R&D 100 Awards. Mayor Barber presented the resolution to Ms. Hardwick. Ms. Hardwick thanked the Town for the recognition and talked

about the company's pride in representing Christiansburg and Montgomery County on an international scale. Ms. Hardwick invited Council to visit the company to learn more.

C. Kyle Morgan to speak regarding telecommunications options in the area.

Kyle Morgan, Heather Drive, addressed Council regarding the limited options for internet service available to Christiansburg residents. Mr. Morgan has lived in Christiansburg since 2013 and has been unable to obtain internet service that meets the four areas of importance to him: Fast, reliable, affordable, with no data caps. A comparison chart of the download/upload speeds and costs between the Town's three main internet service providers was used to indicate the inadequacies in speeds offered by the providers, which were not fast enough to qualify for the FCC's description of "high speed broadband". Mr. Morgan compared the chart with Comcast and fiber broadband, which, he said, were superior in speeds, but unavailable in Christiansburg. The Town currently has a fifteen-year franchise agreement with Shentel, and while it is not a prohibitive agreement, Mr. Morgan pointed out that it could deter other service providers from coming into the Town. As a solution, Mr. Morgan proposed the Town improve its internet access through either an expansion of Comcast, or through installing a municipal fiber optic broadband, and he used the Town of Charlemont, Massachusetts as an example to consider on installing and paying for broadband infrastructure. In addition, the Town was urged to push local service providers to improve current offerings. In closing, Mr. Morgan stressed that adequate internet service was an important aspect in attracting and retaining young people in Christiansburg.

D. Telecommunications in the Town of Christiansburg (Town Manager Wingfield).

Town Manager Randy Wingfield shared with Council a slide presentation on telecommunication options in Town, along with a copy of the Broadband NRV survey completed by NRV Regional Commission in 2017, that was consistent with the information shared by Mr. Morgan regarding the general dissatisfaction with internet service in the area. In addition, Mr. Wingfield reviewed the Shentel Franchise Agreement and the Shentel service area map, while noting that the Town had received twelve complaints against Shentel since 2015. Regarding potential developments, a fiber provider is extending a five-chamber conduit through Christiansburg, but it is not intended for internet service. However, the conduit could be expanded for service use, and the Town is currently in discussions regarding the sale or lease of unused conduit space for potential new service providers. Mr. Wingfield noted that fiber/broadband strategies are a regular topic of discussion during monthly regional manager meetings. Councilman Stipes added that he agreed there was a need for adequate internet service in town.

Chris Kyle, Vice-President for Programming, Regulatory, Business Development for Shentel, offered a brief background of Shentel and provided a handout that outlined the current internet packages offered by the company. Mr. Kyle said he believed Shentel offered the most advanced high-speed network in Virginia, and he talked about the improvements to the internet service plans that would provide faster speeds at lower costs, with increased data caps. Councilman Collins asked if Shentel's pricing was consistent everywhere its service was offered, and Mr. Kyle replied that it was. Councilwoman Sachs pointed out the significant pricing difference between business service and residential service, for the same package, which Mr. Kyle attributed to a difference in support staff required for business services. Mr. Kyle stated Shentel was invested in the community and worked hard to meet the needs of its

customers with regards to internet speed and reliability, and that the company stood behind its product.

E. Town Hall Customer Service (Town Manager Wingfield).

Town Manager Wingfield provided Council with an update on changes to the Town's system for answering telephones in an effort to improve customer service. The changes include the streamlining of ring groups, removal of the forced voicemail and utilization of the "do not disturb" feature, along with more organized scheduling for the four primary phone receptionists, should allow for a more personal experience for callers. Mr. Wingfield talked about the system in place for the four main phone receptionists, who also have other duties in addition to answering phones. The Engineering Department anticipates hiring another employee who will be another primary phone attendant. Mr. Wingfield provided call volumes for November and December 2018, and noted that Public Works service orders would no longer go to Engineering first, which would reduce call volumes at Town Hall. The Town could provide for an entryway/lobby receptionist, and Mr. Wingfield asked if Council was interested in implementing that option. Council expressed no interest in creating that position at this time. Councilman Huppert commented that he believed the phone system was efficient and appropriate without the changes presented. Councilman Showalter asked if there was a secondary level of personnel for answering phones. Mr. Wingfield stated that there wasn't, but in a rare instance where the four primary attendants were absent, someone within the specific department will answer the phone. Council thanked Mr. Wingfield for the update.

VI. CITIZEN COMMENTS

- a. Janet Jones, 180 Slate Creek Drive, asked about the policy for answering phones while working with customers. Town Manager Wingfield commented that in those situations, calls would be passed on to another individual, and further noted that cashiers who worked with customers were not the primary telephone attendants. Finance Director Val Tweedie pointed out that receptionists were trained to work with in-person customers first.
- b. Tim Kelly, 155 Belmont Drive, said he works for an internet-based company in California and he expressed concern that the Town had given Shentel a monopoly on internet service. Mr. Kelly called attention to Shentel's mission statement that focused heavily on providing high speed internet service to rural areas, and he noted that Christiansburg was not a rural area in terms of population and growth. He questioned if Christiansburg residents were subsidizing Shentel's infrastructure in rural markets, which he said would be unfair to the Town's residents.
- c. Paul Leichner, 160 Alexa Lane, said he and his wife were happy with their move to Christiansburg from New Jersey eight-months ago, and he appreciated that all his interactions with Town staff had been prompt and polite.
- d. Chris Ubain, 105 Melody Drive, expressed support for Kyle Morgan's comments regarding the need for additional internet options, but stated his purpose in being here was to talk about Airbnb. Mr. Ubain, an Airbnb owner, provided his credentials and community involvements, then explained that he didn't believe the Town should be involved in regulating and stipulating how he can use the spare space in his home, specifically, how often he can rent it out through Airbnb. Mr. Ubain said Airbnb was a great way to generate extra income and was a boon to the

local economy by bringing tourists and visitors to the area. Mr. Ubain noted that he had previously sent Council a letter expressing his concerns.

VII. COMMITTEE REPORTS

- A. Collins and Stipes – Street Committee report/recommendation on:
 - 1. Plat showing Boundary Line Adjustment & Minor Subdivision between Tax Parcel 531-A-9 and Tax Parcel 531-A-11, situated along Tower Road, S.E. (Creating 1 new lot).

Councilman Stipes reported that the request was to subdivide two residential lots into three individual lots, and to adjust the boundary line to tidy up the lots for selling. The plat was found to conform with the subdivision ordinance and Councilman Stipes made a motion to approve the request, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- 2. Councilwoman Sachs announced that a Central Business District Committee meeting was scheduled for tomorrow at 12:00 P.M., and she invited all to attend and give input on the matters discussed.

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. (Carryover item from January 8, 2019).

Councilman Bishop began the discussion by questioning the consequences if the proposed ordinance was not approved by Council. Town Manager Wingfield replied that currently, without an ordinance, homestays were prohibited in residential zoning districts.

Councilwoman Sachs expressed concern with limiting the number of rental days, while at the same time requiring homestays to incur the same costs as hotels and B&B's, which are not limited in rental days. Councilwoman Sachs also disagreed with prohibiting the use of on-site auxiliary buildings as rental property. Councilman Huppert offered a proposal in the form of a motion to accept the draft ordinance with the following provisions and/or changes: Homestays would be permitted to rent a portion of the home 365 days per year, with the caveat that the owner must be present for no less than 6 months per year (in accordance with the definition of “primary residence”) and the ordinance would go into effect July 1, 2019. Council discussed requiring liability insurance, but decided against including that in the ordinance. Modifications to the Finance/Taxation Chapter were discussed, but agreed that this would be discussed further following its separate public hearing scheduled for February 12, 2019. Councilman Bishop seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Nay; Showalter – Aye; Stipes – Nay.

- 2. Resolution to petition the Virginia Department of Transportation for Maintenance Payments for Certain Streets in the Urban Maintenance Inventory System.

Engineering Director Wayne Nelson provided Council with an overview of the list of street segments identified as eligible for state maintenance payments that have been included in the Town's application to VDOT for additional street maintenance funding, which total an additional 11.5 miles of new streets. Mr. Nelson thanked Steve Palmer, Assistant Director of Land Development and Operations, and Dayton Poff, GIS Coordinator, for compiling the list. Council thanked Mr. Nelson for his report and Councilman Showalter made a motion to approve the resolution 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:
 - Angie Bowles, part-time Recreation Assistant of Youth Athletics, passed away suddenly yesterday morning. Ms. Bowles was a valuable asset to the Parks and Recreation Department and will be missed by many.
 - Craig Moore has resigned from his position on the Planning Commission. Council expressed appreciation for his long-time service, and Mr. Wingfield requested Council direction on advertising the position.
- B. Town Attorney:
Attorney Jim Guynn commented that his law partner, Mike Lockaby, represented broadband authorities and was knowledgeable in the area of internet service options for municipalities. Mr. Lockaby would be happy to consult with the town on its options related to broadband service, and Councilman Showalter recommended Montgomery County participate in meeting with Mr. Lockaby. Mr. Wingfield will follow up on scheduling a meeting.
- C. Other Staff:

X. COUNCIL REPORTS

- A. Councilman Collins reported he, Mayor Barber, and town staff were in ongoing talks with the high school about ways to expose students to local government operations. Mr. Collins praised Christiansburg as a great place to live and said he was working with the PR Department to add a page on the Town's website for citizens to comment on what they love about Christiansburg. Mr. Collins shared positive citizen comments from the Town's Facebook page.
- B. Councilman Bishop reported that renovations of the rescue squad building should be completed within a few months, and he invited all to attend the Dialogue on Race Winter Summit at Christiansburg Middle School on January 26, 2019.
- C. Councilman Showalter requested that Council be provided a preview of the new citizen's comment page on the Town's website, referred to by Councilman Collins, before it goes live.
- D. Councilman Stipes, no report.
- E. Councilman Huppert reported on the recent seniors' event to put together 150 gift bags for local shut-in, held at the recreation center. Mr. Huppert said the group was very thankful the town let them use the rec center for the activity. Mr. Huppert then offered support for Kyle Morgan's comments on the importance of a progressive internet system that would keep pace with the growth seen in Christiansburg and Montgomery County.
- F. Councilwoman Sachs, no report.
- G. Mayor Barber, no report.

XI. OTHER BUSINESS

A. Closed Meeting:

1. Councilman Huppert made a motion to enter into a Closed Meeting in accordance with Code of Virginia § 2.2-3711(29) for the discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. The Closed Meeting pertains to the performance agreement for the development of the Marketplace Shopping Center. The motion was seconded by Councilman Showalter and voted upon as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Stipes – Aye; Showalter – Aye.
2. Councilman Huppert made a motion to enter into a Closed Meeting in accordance with Code of Virginia § 2.2-3711(3) for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. The Closed Meeting pertains to discussions regarding potential lease of Town-owned property at 415 Cambria Street, N.W. The motion was seconded by Councilman Showalter and voted upon as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Stipes – Aye; Showalter – Aye.
3. Reconvene in Open Meeting.
4. 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 Councilman Showalter and voted upon as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye.
5. Council action on the matters. No action was taken by Council.

XII. ADJOURN

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 10:27 P.M.

Michele Stipes, Clerk of Council

D. Michael Barber, Mayor