

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
JULY 23, 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 JULY 23, 2019 AT 7:00 P.M.

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

ADMINISTRATION PRESENT: Town Manager Randy Wingfield; Assistant Town Manager Andrew Warren; Assistant to the Town Manager Adam Carpenetti; Clerk of Council Michele Stipes; Town Attorney Mark Popovich; Finance Director/Treasurer Val Tweedie; Police Chief Mark Sisson; Director of Engineering Wayne Nelson; Planning Director Will Drake; Public Relations Director Melissa Demmitt; Aquatics Director Terry Caldwell; Director of Parks and Recreation Brad Epperley; Director of Human Resources Dave Brahmstadt; Building Official Jerry Heinline; Director of Public Works Jim Lancianese; Superintendent of Streets Travis Moles; Public Works Crew Supervisor John Kirtner; Fire Chief Billy Hanks; Rescue Chief Joe Coyle.

- I. CALL TO ORDER
 - A. Moment of Reflection
 - B. Pledge of Allegiance
- II. ADJUSTMENT OF THE AGENDA
 - A. Councilman Stipes made a motion to adjust the agenda to add appointment of Planning Commission members under Discussions by Mayor and Council. Councilwoman Sachs seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.
- III. PUBLIC HEARING
 - A. Ordinance approving and authorizing the execution of a small cell franchise agreement by and between the Town of Christiansburg and Shenandoah Personal Communications, LLC (Collectively, "Shentel").

Town Manager Randy Wingfield explained that the franchise agreement was to govern the installation of telecommunications facilities on privately or publicly owned poles in public ways and did not grant exclusive rights of any kind to Shentel. There were no public comments for or against this matter.
 - B. Request by Cambria Storage Partners LLC to vacate approximately 120 linear feet of a 20-foot wide sanitary sewer easement on the south side of property located at 300 and 390 Cambria Street, N.W. (tax map no. 466 –27 – A).

Applicant was present and offered to answer questions of Council. Town Manager Wingfield reported that town staff had reviewed the request and determined the town had no need for the sanitary sewer easement and supported the vacation request. The request has been reviewed by the Street Committee and the committee expressed support for vacation of the easement.

IV. CONSENT AGENDA

- A. Council meeting minutes of July 9, 2019.
- B. Monthly bill list.
- C. Award Contract to Boring Contractors, Inc. in the Amount of \$593,456.00 for Construction of the Chrisman Mill Road Realignment project.
- D. Award Contract to Total Environmental Concepts, Inc. in the Amount of \$230,940.00 for Construction of the Wades Lane Landfill – Landfill Gas Collection System project.
- E. Schedule Public Hearing on August 27, 2019 for a proposed Boundary Line Adjustment Agreement moving approximately 68.866 acres from the unincorporated area of the County of Montgomery into the incorporated Town of Christiansburg. The proposed boundary adjustment area is commonly known as Falling Branch Corporate Park, Phase II, Parcel 2, Tax Map Number 94-A-8 (formerly the Cox property).
- F. Schedule Public Hearing on September 10, 2019 to rezone 0.360 acres (portion of property Tax Map Numbers 530-(18)-1-7) from Agricultural to R-3, Multi-Family Residential associated with the recently approved boundary line adjustment moving the land from the unincorporated area of the County of Montgomery into the incorporated Town of Christiansburg. The petition is intended to include the land as part of the Reagan's Pointe Planned Housing Development. The property is located on the southern boundary of the Town of Christiansburg, near the intersection of Curtis Drive and Giles Drive.
- G. Schedule Public Hearing on September 10, 2019 to rezone 125.625 acres commonly known as the Meadows Golf Course and Shepherd Property from Agricultural to R-2, Two-Family Residential associated with the recently approved boundary line adjustment moving the land from the unincorporated area of the County of Montgomery into the incorporated Town of Christiansburg. The petition is intended to permit single-family housing development consistent with the property owner's conceptual plan submitted at the time of the boundary line adjustment request. The property is located on the western boundary of the Town of Christiansburg adjacent to Chrisman Mill Road and Norfolk Southern Railroad right-of-way
- H. Schedule Public Hearing on September 10, 2019 for a conditional use permit request by NRV Marketplace LLC for a planned commercial development with a comprehensive sign plan and a conditional use permit request for a farmers' market for property located at 2705 Market Street NE (tax map no. 436-5-1) in the B-3, General Business District.

Councilwoman Sachs made a motion to remove from the monthly bill list payment of invoices from Guynn, Waddell, Carroll & Lockaby for communication between elected officials and legal counsel for May and June, out of ongoing concerns. Councilman Stipes seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Councilman Stipes made a motion to approve the consent agenda, with the exclusion of the invoices for legal counsel, seconded by Councilman Huppert. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Councilwoman Sachs made a motion to approve payment of attorney fees for May and June, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Nay; Showalter – Aye; Stipes – Aye. Councilman Stipes commented on Council's discussions regarding communication between elected officials and legal counsel, and

expressed support for Council's decision to develop a policy that would provide clarification and guidelines for such communication.

V. INTRODUCTIONS AND PRESENTATIONS

- A. Introduction of New Employees
 - 1. Val Tweedie, Finance Department
 - Jessie Haskins, Customer Service Representative
 - Kelsey Cole, Customer Service Representative
 - Mark Hamric, Staff Accountant
 - 2. John Kirtner, Public Works
 - Blake Graham, Maintenance Worker, Utilities
 - 3. Will Drake, Planning Department
 - Jude Cochran, Planner I

VI. CITIZEN COMMENTS

- A. Christiansburg resident Bob Poff requested that Council express to Montgomery County support for preserving and renovating the Phlegar building and the former sheriff's office as important historical sites in Christiansburg, and referenced the sections in the Town's comprehensive plan that states the Town's goal in supporting and protecting historic buildings through preservation. The two buildings mentioned by Mr. Poff are currently under consideration by Montgomery County Board of Supervisors for renovation or demolition. The board of supervisors discussed the buildings at its meeting last night and will take up the matter again at its August 12 meeting. Council voiced support for preserving the buildings and Councilman Stipes made a motion to adjust the agenda to include action on this matter under Discussions by Mayor and Council. Councilwoman Sachs seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

VII. COMMITTEE REPORTS

A. Street Committee:

- 1. Plat of Survey Showing Boundary Line Relocation between Tax Map Numbers 527-17 BK B 15, 16, & 17A Creating New Lot A, B, & C Located on Alleghany Street, SE.

Councilman Stipes explained the request that would create two single-family residential lots along Alleghany Street. The property owner wants to donate the back portion of the lot to the Town and noted that there are stormwater issues in the area. Town Engineer Wayne Nelson has reviewed the request and determined the property would be beneficial to the Town in providing additional stormwater reduction in the area. Councilman Stipes reported the Street Committee supported the request for boundary line location, but noted that unless and until the Town accepted the parcel donation offered by the land owner, the boundary line relocation and creation of two building lots would not conform to the subdivision ordinance. The donation of 1.712 acres of property located on Alleghany Street, S.E. (a portion of tax parcels 527 – ((17 BK B) - 15, 16, and 17A) by Absolute Construction, LLC. is listed under Discussions by Mayor and Council as an item for Council action. Councilman Stipes noted that surrounding property owners had expressed support for the applicant's requests. Council revisited this matter after voting to accept the parcel donation as described above. Councilman Stipes made

a motion to approve the boundary line relocation, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

2. Plat Showing Boundary Line Adjustment, Right of Way and Easement Dedication on Property Located at 850 and 870 Walters Drive, NW.

Councilman Stipes explained the applicant's intent to adjust the property boundary line to include the driveways of both lots and tidy up the parcels. The properties are located at the end of Walters Drive and are owned by family members who reside on the properties. The plat conforms with the subdivision ordinance and the Street Committee recommended approval. Councilman Stipes made a motion to approve the boundary line adjustment as requested, seconded by Councilwoman Sachs. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

- A. Council action on:
 1. Ordinance to Amend Chapter 18, Finance and Taxation, Article I, In General to enact Section 18.3 to allow the clerk of the court to collect a \$5 fee for criminal and traffic cases in order to solely fund an electronic summons system pursuant to Code of Virginia Section 17.1-279.1. The Public Hearing was held July 9, 2019.

At Council's request, Chief Sisson clarified that the \$5 fee would be placed into a fund that would pay for e-ticket service that he expects will be mandatory for localities within five to ten years. The fee would only apply to the Town's violations and the clerk of the court is urging Montgomery County and Blacksburg to adopt the same fee policy as a way to be proactive in paying for equipment that will be necessary in providing e-ticket service. Fee collection would begin in January 2020 and a fund would be created at that time for fees collected. Councilman Stipes made a motion to approve the ordinance as requested, seconded by Councilwoman Sachs. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- B. Reappointment of Richard Ballengee as representative to the New River Valley Agency on Aging Board of Directors and Steve Huppert as alternate. The terms are from October 1, 2019 through September 30, 2020.

Mayor Barber reported that Mr. Ballengee had agreed to serve another term. Councilman Showalter made a motion to appoint Richard Ballengee to serve as representative to the New River Valley Agency on Aging, and to appoint Steve Huppert as alternate, for a term from October 1, 2019 through September 30, 2020. Councilman Collins seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- C. Consideration of acceptance of donation of 1.712 acres of property located on Alleghany Street, S.E. (a portion of tax parcels 527 – ((17 BK B) - 15, 16, and 17A) by Absolute Construction, LLC.

Councilman Stipes made a motion to accept the land donation 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.

- D. Appointment of Planning Commission members. Councilman Stipes made a motion to appoint Tom Bernard and Felix Clarke to serve terms on the Planning Commission, with respective term expiration dates to be determined by Town Manager Wingfield based on the available unexpired terms of former Planning Commissioners. Councilman Collins seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye. Councilman Collins expressed appreciation for the members' willingness to serve the Town in this capacity.
- E. Request by Bob Poff for Town support for preserving the Phlegar building and the former sheriff's office. Councilman Stipes made a motion to approve a resolution in support of preserving the Phlegar building and the former sheriff's office as a first option to renovating the property, and to fully explore preservation before considering demolition. Councilman Collins seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye. Councilwoman Sachs thanked Mr. Poff for making a difference by standing up for his beliefs. Mayor Barber will provide Council with a copy of the resolution for review prior to submittal to the County.
- F. Employee Departures. Councilwoman Sachs expressed concern with the Town's staff retention rate based on voluntary exit interview spreadsheet data provided at Council's request. Ms. Sachs reviewed the reasons recorded on the spreadsheet for departures, and respective percentages, and urged staff to use the information to target areas that were in need of improvement, and she recommended a committee to review the data and work to improve retention rates. Councilman Bishop agreed, noting that he was concerned that "Supervision" and "Work Environment" were listed as reasons for departure, commenting that the Town needed to understand the problems and work on a solution. Councilman Showalter questioned if the attrition rates were acceptable. Mayor Barber responded that they were fairly in line with attrition rates in Radford and Blacksburg, and Town Manager Wingfield commented that the rates were typical with what the Town had experienced in the past, and that departures were often in lower paying jobs, particularly when the economy was good. After further discussion, Mayor Barber appointed Town Manager Wingfield, Assistant Town Manager Warren, and Human Resource Director Dave Brahmstadt to review the matter and report to Council with findings and recommendations within three months.

IX. STAFF REPORTS

- A. Town Manager: No report
- B. Town Attorney: No report
- C. Other Staff: No report

X. COUNCIL REPORTS

- A. Councilman Collins requested that Director of Parks and Recreation Brad Epperley meet with the Special Events Committee to discuss hosting three or four more downtown street events, and to provide a cost estimate to Council for consideration. Councilman Showalter recalled a town survey that collected information on the types of activities and events citizens were interested in, and he recommended that the Recreation Advisory Commission be included in the discussions. Mr. Epperley agreed and offered to report back to Council in two weeks. Mr. Collins introduced newly appointed Planning Commissioner Tom Bernard.
- B. Councilman Bishop, no report
- C. Councilman Showalter referred to an email he sent Council regarding the draft policy on communication with legal counsel. Mr. Showalter requested Council review the policy and be

prepared to discuss at the next regular council meeting. Mr. Showalter expressed appreciation for the staff members who attended the policy committee meeting last week.

- D. Councilman Stipes, no report.
- E. Councilman Huppert referred to a recent news article written by Marty Gordon that announced that the aquatic center had been selected to host the prestigious 2020 Eastern Zone Super Sectional Meet that is predicted to bring approximately \$400,000 into the area. Mr. Huppert reported on estimates that 30,000 swimmers, coaches, and spectators visited the aquatic center over the last year, and he reported on the large swim meets hosted by the facility in July. Mr. Huppert also talked about the baseball tournaments held at Harkrader Sports Complex that also brought many visitors to the area, and he recommended directors of both the aquatic center and recreation department collaborate to inform hotels and restaurants when large events would be held as a consideration. Aquatics Director Terry Caldwell noted that this was already being done through the Chamber of Commerce and email notifications to each business.
- F. Councilwoman Sachs emphasized the importance of supporting local small businesses by buying local and she expressed appreciation for the department heads' efforts to purchase within Christiansburg and Montgomery County when possible. Ms. Sachs noted that in spite of those efforts, much money was still leaving the area and she recommended adopting a formal policy providing direction for purchasing local within the parameters of procurement requirements. She also announced that Central Business District Committee will meet tomorrow at noon.
- G. Mayor Barber presented the idea of adopting a Town flag that would display the Town logo and asked if Council was interested in the idea. The Town would have the liberty of flying the flag half-mast to honor responders who pass away. A model of the flag was shown to Council for consideration. Mayor Barber noted that he knew of someone interested in donating a flag pole to the Town for use with the flag. The flag would be flown outside Town Hall. Councilman Showalter noted that a policy would be needed with regards to lowering the flag and that more information was needed before Council could make an informed decision. Mayor Barber said he would gather additional information on the flag pole donation and proper protocol in handling the flag and will report back to Council.

XI. OTHER BUSINESS

- A. Closed Meeting:
 - 1. Councilman Huppert made a request to enter into a Closed Meeting in accordance with Code of Virginia § 2.2-3711(A) (6), for discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.; Code of Virginia § 2.2-3711(A) (29), 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 purpose of the meeting is discussion of an interim agreement for development of a park on the former Truman Wilson property on Peppers Ferry Road, N.W. 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 voted upon as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes - Aye.
4. Council action on the matter. Councilman Stipes made a motion to authorize Town Manager Wingfield to enter into an interim agreement with Faulconer Construction for the design of a Town park on the former Truman Wilson property. The motion was seconded by Councilman Collins and voted on as follows: Bishop – Aye; Collins – Aye; 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 8:39 P.M.

Michele Stipes, Clerk of Council

D. Michael Barber, Mayor