

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
REGULAR MEETING MINUTES  
AUGUST 13, 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 AUGUST 13, 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; Clerk of Council Michele Stipes; Town Attorney Jim Guynn; Finance Director/Treasurer Val Tweedie; Police Chief Mark Sisson; Engineering Director Wayne Nelson; Planning Director Will Drake; Public Relations Specialist Amy Southall; Aquatics Director Terry Caldwell; Special Events Coordinator Casey Jenkins; Director of Public Works Jim Lancianese; Superintendent of Streets Travis Moles.

**I. CALL TO ORDER**

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

**II. ADJUSTMENT OF THE AGENDA**

**III. PUBLIC HEARING**

- A. Conditional Use Permit request by SHAH Development LLC for expansion of the Thomas Circle Mobile Home Park located adjacent to Thomas Circle, N.W. and Badger Street, N.W., including 140, 170, 190-220 Badger Street, N.W., 875-897 Thomas Circle, N.W., and property east of the intersection of Badger Street, N.W., and Elk Drive, N.W. (tax map nos. 525 – 1 – 98, 99 and 525 – A – 44A, 44D) in the B-3, General Business District. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

There were no comments for or against this matter.

- B. Ordinance to amend Chapter 12 “Business Regulations” of the Christiansburg Town Code by enacting Article III. Massage Establishments.

Sarah Yun, licensed massage therapist, Christiansburg, expressed support for the ordinance amendment as proposed.

Claire Mann, licensed massage therapist, Christiansburg, expressed support for the proposed ordinance amendment, with the inclusion of the exemption for therapists with Home Occupation Permits not to be considered a massage establishment.

Carrie Boucher, licensed massage therapist, resident of Christiansburg, Blacksburg business owner, expressed support for the ordinance, but noted the ordinance was vague with regard to massage therapists that live in Christiansburg but work in Blacksburg.

Brenda Clark, 38-year resident of Christiansburg, licensed medical message therapist in Radford, expressed support and appreciation for the Town's efforts to protect the integrity of massage therapy businesses.

Debbie Hale, owner of a massage therapy business in Christiansburg, agreed with the comments made, and expressed appreciation that the proposed ordinance amendment would not hinder legitimate businesses.

Assistant Town Manager Andrew Warren noted that the proposed ordinance amendment would allow residents with a valid home occupation permit to operate a massage therapy business from their home if they have an approved home occupation permit and an approved massage therapist permit. In these instances, a massage establishment permit would not be required.

- C. Ordinance to amend Chapter 22 "Miscellaneous Offenses" of the Christiansburg Town Code by enacting Section 22-10, Prostitution.

There were no comments for or against this matter.

#### IV. CONSENT AGENDA

- A. Council meeting minutes of July 22, 2019 and July 23, 2019.
- B. Approval of Purchase order for Stryker for 6 life pack defibrillators \$185,428.60.
- C. Approval of purchase order for Haley Ford 4 police vehicles \$163,930.04.
- D. Approval of purchase order for Carter Machinery for Skid Steer loader \$103,720.
- E. Approval of Change Orders totaling \$242,422.70 for Street Repair and Reconstruction and Huckleberry Trail Phase IID repair.
- F. Approval of amendment to the Professional Services Engineering Contract with Rinker Design Associates, P.C. in the amount of \$187,753 for additional design services for the complete design of the Park Access Road and Route 114 turn lane improvements.
- G. Approval of revised VDOT Appendix A and subsequent change order totaling \$235,137.00 for Huckleberry Trail Phase III additive bid to construct the portion of trail along Independence Boulevard from N Franklin Street to Gold Leaf Drive. The Town's 20% match is \$47,027. This item will require additional action in a Budget Amendment 2 for Fiscal Year 2019-20.

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

#### VI. CITIZEN COMMENTS

- A. No comments

## VII. COMMITTEE REPORTS

### A. Street Committee:

- a. Minor Subdivision Plat for Southwood Management, Inc. of Lot 10 of Skycrest Subdivision Located at 385 White Pine Drive, N.E.

Councilman Stipes explained the request that would divide one lot into two, and included dedication of 5' to make it a 45' right-of-way along the north side of the property. The plat conforms with the subdivision ordinance and Councilman Stipes made a motion to approve the subdivision plat, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- b. Plat of Survey Showing the Subdivision of the Helen Harr Amos Property and Lot Line Adjustment with the Douglas A. Amos Property Located at 935, 975, and 985 Chrisman Mill Road, N.W.

Councilman Stipes reported on the request to divide two residential lots into three that will share a common driveway. The property is zoned A Agricultural, and Councilman Stipes noted that the request conformed with the subdivision ordinance. Councilman Stipes made a motion to approve the subdivision plat, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- c. Boundary Line Relocation Plat for NRV Marketplace, LLC and GAD, LLC for Property Located at 2650 and 2705 Market Street, N.E.

Councilman Stipes reported that the boundary line relocation would accommodate the new Arby's restaurant located in Market Place, and would also accommodate the fourth ingress/egress of the Shopper's Way intersection. Councilman Stipes reported that the plat conformed with the subdivision ordinance and he made a motion to approve the plat as submitted. Councilman Collins seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Councilman Stipes noted that the Street Committee was reviewing a sight distance concern at the intersection of Phoenix Boulevard and Cambria Street, and would provide a report and recommendation to Council at a future meeting.

### B. Central Business District Committee:

- a. Aquatics Center "LOVE" sign.

Town Manager Wingfield reported that the Town was considering a theme change to the LOVE sign located at the aquatic center. Mr. Wingfield shared a rendering of the proposed "mermaid/water" theme and reported a cost of approximately \$1,500-\$2,000 for the artwork. The project received unanimous support from the Central Business District Committee. Council gave consensus to move forward with the project.

- b. Public chair project.

Town Manager Wingfield presented to Council the proposed project to purchase and place six customizable hand-shaped chairs in various downtown, park, and school areas in Christiansburg, at a cost of \$130.00 each. Currently, there are no designated location sites for the 200-lbs concrete chairs. Recommendation of the project was not unanimous. Councilman Showalter noted he preferred the chairs be placed on Town property, if approved, and expressed concern with no solid plan in place with regards to the placement and decoration of each chair. Councilman Huppert commented that the project could be a way to unify the county and the town. Councilwoman Sachs agreed to bring the matter back to the Central Business District Committee for further discussion. Mayor Barber said he would take the idea to Montgomery County Public Schools Superintendent Mark Miear for his thoughts.

c. Library mural project.

Town Manager Wingfield presented a proposal to have a historic themed mural painted on the back of the Christiansburg library building, and shared a model of the proposed mural that included several historic Christiansburg sites. The Library Foundation would provide a \$2,500 match, with the remaining \$2,500 supported through a donation pool. The project was unanimously recommended by the Central Business District Committee and Council gave consensus to move forward with the project.

## VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

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"). The Public Hearing was held July 23, 2019.

Councilman Stipes made a motion to approve the ordinance, seconded by Councilman Huppert. Town Manager Wingfield reiterated that the contract with Shentel would be non-exclusive. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

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). The Public Hearing was held July 23, 2019.

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

C. Ordinance to amend Chapter 12 "Business Regulations" of the Christiansburg Town Code by enacting Article III. Massage establishments.

Councilwoman Sachs made a motion to approve the ordinance amendment as presented, seconded by Councilman Stipes. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

D. Ordinance to amend Chapter 22 "Miscellaneous Offenses" of the Christiansburg Town Code by enacting Section 22-10, Prostitution.

Councilwoman Sachs made a motion to approve the ordinance amendment 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.

E. Update on Planning Study for Downtown, Cambria, and Midtown.

Assistant Town Manager Warren reported on the ongoing Planning Study and RFP for architectural and engineering services that would advise and review feasibility of proposed projects, and assist with grant funding requests. More information will be provided in the coming months.

F. Discussion of Expanded Special Events for Fiscal Year 2019-20.

Town Manager Wingfield presented the proposed special events, as requested by Council, which would increase the annual number of downtown events, and would be held in partnership with DCI and the Great Road. The proposed events would cost approximately \$33,000, which is under the \$35,000 authorized by the Finance Committee. Councilman Collins reported that the Recreation Advisory Commission unanimously recommended the events presented. Council expressed support for the outlined events and authorized Events Coordinator Casey Jenkins, and staff, to move forward with the events planning at their discretion. Councilman Showalter recommended consistency in planning annual events, and Councilman Stipes recommended anchor events in the Spring and Fall, with smaller events in between. Councilman Huppert requested that Council's appreciation be passed along to the Recreation Advisory Commission.

G. Resolution for Budget Amendment 1 Modification for Fiscal Year 2019-20.

Finance Director Val Tweedie presented the budget amendment and provided a review of each line item. Councilman Stipes made a motion to approve the resolution for the budget amendment, seconded by Councilman Showalter. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

H. Resolution for Budget Amendment 1 for Fiscal Year 2019-20 Appropriations.

Councilman Showalter made a motion to approve the resolution for the budget amendment appropriations, seconded by Councilman Stipes. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

I. Policies and procedures for elected official's consultation with legal counsel.

Councilman Showalter, Councilman Bishop, and Councilman Collins drafted the policy that was presented to Council in the agenda packet for review. Councilman Showalter made a motion to approve the proposed policies and procedures, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye. Town Attorney Jim Guynn clarified that COIA allows direct contact with the attorney in matters pertaining to conflict of interest.

*Councilman Stipes made a motion to adjust the agenda to add Conditional Use Permit request by SHAH Development LLC for expansion of the Thomas Circle Mobile Home Park located adjacent to Thomas Circle, N.W. and Badger Street, N.W., including 140, 170, 190-220 Badger Street,*

*N.W., 875-897 Thomas Circle, N.W., and property east of the intersection of Badger Street, N.W., and Elk Drive, N.W. (tax map nos. 525 – 1 – 98, 99 and 525 – A – 44A, 44D) in the B-3, General Business District, under Discussion and Action by Mayor and Council. Mr. Stipes noted that approval of the CUP request was unanimously recommended by the Planning Commission. Councilman Showalter seconded the motion and Council voted as follows: Bishop – Nay; Collins – Abstain; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye. The matter was added as Item J.*

J. Conditional Use Permit request by SHAH Development LLC for expansion of the Thomas Circle Mobile Home Park located adjacent to Thomas Circle, N.W. and Badger Street, N.W., including 140, 170, 190-220 Badger Street, N.W., 875-897 Thomas Circle, N.W., and property east of the intersection of Badger Street, N.W., and Elk Drive, N.W. (tax map nos. 525 – 1 – 98, 99 and 525 – A – 44A, 44D) in the B-3, General Business District. The Public Hearing was held earlier in the meeting.

Councilman Stipes made a motion to approve the CUP request, as unanimously recommended by the Planning Commission, seconded by Councilman Showalter. At Councilman Huppert's request, Thom Rutledge of SHAH Development explained the plans to expand the mobile home park by sixteen sites, noting that one site would be lost due to construction of the road, for a net of fifteen new sites. Mr. Rutledge reported that the park was a well-maintained community separated with larger lots and open greenspace, and was an affordable housing option for Christiansburg. Councilman Huppert mentioned a citizen email expressing concerns with additional foot traffic with the expansion and possible decrease in property values. Mr. Rutledge explained that the park was being expanded in acreage that would accommodate sixteen new mobile homes; five of the existing older homes would be removed and four would be replaced with new homes. The park offers a 24-hour emergency number for maintenance matters. Council voted on the motion as follows: Bishop – Aye; Collins – Abstain; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

## IX. STAFF REPORTS

A. Town Manager:

- Reminded Council of the required COIA training deadline of December 31, 2019.
- Councilman Stipes made a motion to cancel the October 8 regular council meeting to accommodate the Annual VML Conference and the Fire Prevention Parade, seconded by Councilman Huppert. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

B. Town Attorney:

C. Other Staff:

Police Chief Sisson reminded Council of the Dialogue on Race picnic August 24 at the Moose Lodge.

## X. COUNCIL REPORTS

A. Councilman Collins responded to Carrie Boucher's comments regarding licensed massage therapists who live in Christiansburg, but work in another locality, by noting that businesses must comply with the ordinances of the locality in which they obtain their business license.

- B. Councilman Bishop reported on the recent Board of Supervisor meeting where emergency services personnel with 30-yrs of service were honored, and noted that several members were from Christiansburg.
- C. Councilman Showalter reported that the Finance Committee had met to discuss the grant application process, which Finance Director Val Tweedie will present at a future meeting.
- D. Councilman Stipes requested that an update on Homestay Permits be placed on the August 27<sup>th</sup> meeting.
- E. Councilman Huppert reported that the aquatic center would be closed from August 14-28 for annual maintenance, and reported on the various summer meets, camps, and activities hosted by the aquatic center. The Aquatic Advisory Board will meet August 14 at 4:30 p.m.
- F. Councilwoman Sachs supported Mr. Stipes' request for an update on Homestay Permits.
- G. Mayor Barber asked Council if it wished for him to pursue requesting information from Montgomery County that would help track Airbnb licenses. Mayor Barber said he has already unsuccessfully requested this information from the county. Town Manager Wingfield offered to talk with County Administrator Craig Meadows and County Attorney Marty McMahon about the matter. The Town reported on the upcoming Touch-A-Truck event scheduled for August 17, and he welcomed Montgomery County Board of Supervisor candidate Sherry Blevins to the meeting, noting she recently was awarded Training Center of the Year for a Safe Driving Facility from the National Safety Council. Mayor Barber then showed Council a new Christiansburg flag design and reported that staff could develop a policy for flying and lowering the flag, with Council's support. Council gave consensus to move forward with drafting a flag policy for consideration.

XI. OTHER BUSINESS

XII. ADJOURN

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 8:35 P.M.

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Michele Stipes, Clerk of Council

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D. Michael Barber, Mayor