

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
JANUARY 28, 2020 – 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 28, 2020 AT 7:00 P.M.

COUNCIL MEMBERS PRESENT: Mayor D. Michael D. Barber; Vice-Mayor Merissa Sachs; Samuel M. Bishop; Johana Hicks; Steve Huppert; 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 Reid Broughton; Finance Director/Treasurer Val Tweedie; Public Relations Director Melissa Demmitt; Aquatics Director Terry Caldwell; Planning Director Will Drake; Public Works Director Jim Lancianese; Superintendent of Streets Travis Moles; Police Chief Mark Sisson.

I. CALL TO ORDER

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

II. ADJUSTMENT OF THE AGENDA

- A. Postpone presentation by IT Director regarding council chamber layout and audio-visual options.
- B. Add to consent agenda a resolution in recognition of Neal Turner for his more than forty-years of service to Montgomery County.

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

Mayor Barber introduced Reid Broughton of newly appointed legal counsel Sands Anderson P.C. Mr. Broughton introduced partners Mike Bedsaul, Stephen Durbin, and Mary Russell who will be a part of the Town's legal team.

C. PUBLIC HEARINGS

- A. Conditional Use Permit request Steven LaPlante (applicant) for property owned by RAZZ LLC for residential uses as permitted in the R-3, Multi-Family Residential District at 1305 Radford Street NW (tax map no. 525-2-49B) in the B-3, General Business District. Uses permitted in the R-3 Multi-Family Residential District include single-family dwellings, two-family dwellings, townhouses, and multiple-family dwellings at a density of development of up to 20 units per

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

Karen LaPlante, on behalf of her husband who is the applicant, explained that she and her husband purchased the bed and breakfast property as an investment, but the business failed due to location. Now the applicant has requested a Conditional Use Permit to turn the property into apartments. The property is handicap accessible, with parking available for nineteen vehicles. Councilwoman Hicks said she attended the Planning Commission discussion regarding the request where the vote was unanimous for approval, and she made a motion to add the item to the agenda for council action. Council expressed a desire to follow CUP process and take action at the next regular council meeting, and Ms. LaPlante said she had no objection to waiting two weeks.

D. CONSENT AGENDA

A. Approval of Minutes of January 14, 2020.

B. Approval of amendment to the Professional Engineering Services Project Contract with McDonough Bolyard Peck, Inc. in the amount of \$47,950 for additional construction engineering and inspection services for Primary Extension and Annual Paving project.

C. Renewal of Agreement with Radford City for use of the Christiansburg Aquatic Center.

D. Schedule public hearing on March 10, 2020 for a Conditional Use Permit request by Cole Shows Amusement Company, Inc. (applicant), for property owned by Rockstep Christiansburg LLC for a carnival at 782 New River Road, N.W., (tax map no. 435-A-41) in the B-3, General Business District. The property is designated as Business/Commercial on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

E. Resolution in recognition of Neal Turner for his more than forty years of service to Montgomery County.

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

F. INTRODUCTIONS AND PRESENTATIONS

A. Introduction of New Employees

1. Police Department, introduced by Police Chief Mark Sisson:

- Kayla Stultz
- William Parmer
- Alivia Dunn
- Nathaniel Jennings

Police Chief Sisson administered the Oath of Office to each officer.

2. Public Works:

- Curtis Williams, introduced by John Kirtner
- Dondi Roberson, introduced by John Kirtner
- Cody Mounts, introduced by Grant Hoover
- David Dalton, introduced by J.W. Bishop
- Chance Dooley, introduced by Grant Hoover

- B. Presentation by IT Director Craig Hatmaker regarding Town Council Chambers Layout and Audio – Visual Options. Postponed.

G. CITIZEN COMMENTS

- A. Chris Waltz, 1370 Rigby Street, questioned why Councilwoman Hicks did not receive a council committee appointment during the reorganization meeting on January 14, and said she had expressed interest in serving on the Central Business District Committee, or the Water, Sewer, Solid Waste Committee, and called it unfair that both appointments had gone to other council members.
- B. Vonetta Moore, 740 Lester Street, brought her concern to Council that in January she was charged a \$25.00 water connection fee for water service that had not been disconnected. She requested the Town investigate the matter and consider reimbursing her the fee.
- C. Jeff Akers, a 49- year citizen of Christiansburg, brought in a spike strip discarded by the side of Roanoke Street near I-81 Exit 118 by police officers earlier today. Mr. Akers presumed the equipment had been permanently discarded in that manner by law enforcement and suggested an investigation and additional training for officers. Police Chief Sisson said he was unaware of the situation, but would look into it and report back to Council.

VII. COMMITTEE REPORTS

- A. Councilmen Bishop and Stipes – Street Committee report/recommendation on:
1. Lot Line Adjustment And Replat Of Public Utility And Drainage Easement Vacation And Relocation Between Lots 25, 26 & 27 White Oaks, Phase V.

Councilman Stipes explained the request to change three existing lots into two for the construction of a duplex, and to relocate existing public utility and drainage easements to the rear of the property. Town staff and the Street Committee have reviewed the request and found it to conform to the subdivision ordinance. Councilman Stipes made a motion to approve the request, seconded by Councilwoman Sachs. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- B. Councilwoman Sachs reported that the Water – Sewer - Solid Waste - Stormwater Committee was currently reviewing the Town’s recycling policy and the stormwater fee structure, and she thanked Bowling Creative Media for the complementary educational video on appropriate recycling methods. The video is available for viewing on You Tube. The Central Business District Committee will meet tomorrow at noon and all were invited to attend.

- C. Councilman Huppert spoke in support of the aquatic center and its contribution to the quality of life for people of all ages and demographics, and he talked briefly about some of the programs offered by the facility.
- D. Councilman Showalter presented a request from the Central Business District Committee that the Christiansburg Institute flag be placed on every other pole in downtown in honor of Black History Month. He then commented on the recent Dialogue for Race Summit that was well attended by community leaders. The next summit is scheduled for August and Councilman Showalter encouraged all to attend.

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

A. Monthly Bill List

Councilwoman Sachs made a motion to approve the monthly bills, seconded by Councilman Stipes. Councilwoman Sachs thanked town staff for the changes to the procurement policy that has made a difference for local businesses in the bidding process. Council discussed the policy threshold of \$1,500 for three quotes, and Councilwoman Hicks recommended raising the threshold to \$5,000. The \$1,500 was a recommendation of the Finance Committee, but Town Manager Wingfield reported that the low threshold was found to encumber departments due to the required paperwork and actually limited buying local in some instances. It was noted that the state threshold was \$10,000. Town Manager Wingfield offered to meet with department heads on the issue and would present back to Council at the February 11 meeting for continued discussion.

B. Shared Use Agreement for Public Use of Courtyard Area at 100 W. Main Street between the Town of Christiansburg and On Main Street, Inc.

Town Manager Wingfield reported that a request had been made during the recent Rally Group meeting that the Shared Use Agreement be amended to extend usage hours of the courtyard, with all hours open to the public, and daytime private use by On Main Street, Inc., by reservation through the Town Manager. Town Manager Wingfield requested additional time to review the agreement and proposed amendment, and further requested that the Central Business District Committee review the agreement at its meeting tomorrow. Mr. Wingfield clarified that no Town funds would be used for the courtyard, and the \$3,000 Rally Grant would go to On Main Street, Inc. for development of the property. Mr. Wingfield further noted that On Main Street, Inc. would obtain insurance for the property, and that town liability would slightly increase during public usage hours, but it should not impact the Town's insurance. Town Manager Wingfield requested Council let him know of any concerns regarding this matter.

IX. STAFF REPORTS

A. Town Manager:

- A request was presented from the Fire Department for a budget modification that would shift funds from within the Fire Department budget to driveway repair in the amount of \$48,000, which would allow the driveway work to be done in phases for less disruption. Councilman Stipes made a motion to approve the request, seconded by Councilman

Huppert. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- Terry Caldwell, Aquatic Director, has requested to put out an RFP for the new digital aquatic center sign, which was budgeted in FY 2019. She has also requested input from Council as to the sign and location of the sign, which will advertise town events, in addition to aquatic center events. Councilman Showalter expressed concern for the current location of the sign, which impacted visibility for turning vehicles, and he recommended the sign be placed in a location that did not impede visibility. Councilwoman Sachs requested an estimate on the size of the sign. Councilman Stipes recommended deferring to Ms. Caldwell and the Aquatic Advisory Board for a recommendation on both matters, which was agreed to by Council and Ms. Caldwell.
- Special Events Coordinator Casey Jenkins has resigned from his position.
- The Town recently hired Alicia Dials to serve as Human Relations Director.
- A public hearing for a flow control ordinance is scheduled for February 25, with Council action expected in March. Mayor Barber called attention to an email from Mr. Alan Humes of the Montgomery Regional Solid Waste Authority summarizing the details of the proposed ordinance and authority discussions on the matter.
- The Engagement Agreement with Sands Anderson P.C. has been emailed to Council for review.

B. Town Attorney:

C. Other Staff:

X. COUNCIL REPORTS

- A. Councilwoman Sachs reported on her first meeting with the Greater Montgomery Liaison, a collaborative effort of area localities, and announced the second ribbon cutting for Montgomery County Emergency Assistance Program (MCEAP) for its location on Roanoke Street. In closing, she reported on the community gathering at Good Shepherd Baptist Church in support of Wades Supermarket.
- B. Councilman Stipes expressed appreciation for the adjustments made to trash collection during the holidays, which reduced the number of days between trash collections for those impacted by Town Hall closings. He then expressed appreciation for Terry Caldwell's diligence in tracking visits to the aquatic center and thanked her for being a good steward of the budget.

XI. OTHER BUSINESS

A. Closed Meeting:

1. Councilwoman Sachs 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 for discussion of personnel, specifically the appointment of officers for the year 2020; and

2. Councilwoman Sachs made a motion to enter into a Closed Meeting under Virginia Code Section 2.2-3711(A)(7), for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. The Closed Meeting is for discussion of specific pending litigation by Gilday Enterprises, Inc. and D. Stephen Haga, Jr. Councilman Stipes seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

B. Reconvene in Open Meeting.

C. Certification.

Councilwoman Sachs 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 Stipes and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes - Aye.

D. Council action on the matters.

It was the consensus of Council to keep Guynn, Waddell, Carroll, and Lockaby, PC as legal counsel for the noted pending litigation, and to authorize Town Manager Wingfield to execute the Engagement Agreement with Sands Anderson P.C.

Councilman Showalter requested that Town Manager Wingfield request an update from Blacksburg and Montgomery County on their Huckleberry Trail expansion progress.

XII. ADJOURN

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 9:26 P.M.

Michele Stipes, Clerk of Council

D. Michael Barber, Mayor