

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
SEPTEMBER 8, 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 SEPTEMBER 8, 2020 AT 7:00 P.M.

COUNCIL MEMBERS PRESENT: Mayor D. Michael 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 Val Tweedie; Director of Engineering Wayne Nelson; Planning Director Will Drake; Assistant Engineering Director for Capital Projects and Utilities Justin St. Clair; Police Chief Mark Sisson; Fire Chief Billy Hanks; Police Lieutenant Randy Bonds.

I. CALL TO ORDER

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

II. ADJUSTMENT OF THE AGENDA

- A. Councilwoman Hicks requested that Item E of the Consent Agenda be removed for separate discussion and action.

III. PUBLIC HEARINGS

IV. CONSENT AGENDA

- A. Meeting Minutes of August 25, 2020.
- B. Resolution recognizing September 6 – 12, 2020 as Suicide Prevention Week.
- C. Approval of contract with Century Engineering, Inc. d/b/a NXL for Construction Engineering and Inspection Services on the Arbor Drive – Peppers Ferry Road Intersection Improvements Project in the amount of \$218,140.80.

- D. Electrical services contract of \$100,000 or more over a 5-year term with Davis H. Elliott Construction Company.
- E. Purchase contract of 2 police vehicles for \$133,334.48 from Sheehy Ford (through CARES Act funds).
- F. Set personal property tax discount percentage to 34.23% for 2020 tax bills in accordance with Personal Property Tax Reform Act.
- G. Reschedule public hearing from September 22, 2020 to October 13, 2020 for a Conditional Use Permit request by Colin Huff (applicant) for property owned by L & R Burch Properties LLC for a towing service at 3295 North Franklin Street (tax map no. 406 – A – 13E) in the I-2, General Industrial District. The property is designated as Business/Commercial on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.
- H. Schedule public hearing on October 27, 2020 for a Rezoning request by Gay and Neel, Inc. (applicant) for property owned by Golden Triangle Development LLC, located east of the terminus of Simmons Road, N.E. (tax map no. 499-1-5A, 6, 7, 8, 9) and at 390 Teel Street, N.E. (500-5BK2-46, 47, 48, 49). The request is to rezone the approximately 9.56 acre property from A, Agricultural and R-2, Two-Family Residential to R-3, Multi-Family Residential with proffers. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.
- I. Schedule public hearing on October 27, 2020 for a Conditional Use Permit request – contingent on the preceding request – by Gay and Neel, Inc. (applicant) for property owned by Golden Triangle Development LLC, for a planned housing development to consist of single-family homes at a density of development not to exceed 6.38 units per acre located east of the terminus of Simmons Road, N.E. (tax map no. 499-1-5A, 6, 7, 8, 9) and at 390 Teel Street, N.E. (500-5BK2-46, 47, 48, 49) in the R-3, Multi-Family Residential District. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Councilman Showalter made a motion to approve the consent agenda, with the exception of Item E, seconded by Councilman Huppert. Councilwoman Hicks expressed appreciation for the resolution recognizing Suicide Prevention Week, but encouraged Council to consider ways to actively engage with the community to prevent suicides. After a brief discussion in which Councilwoman Hicks expressed her belief that the Town was not supportive of community suicide prevention efforts, Councilman Showalter requested she bring solutions to her frequent complaints to Council for consideration. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Councilman Showalter made a motion to approve Item E of the consent agenda, seconded by Councilman Bishop. Councilwoman Hicks questioned the ethicality of using CARES Act funding to purchase police cars, and further questioned if the Town was doing everything possible to avoid needing new vehicles, noting that two police cars had been approved in the FY 20-21 annual budget. Town Manager Wingfield explained that replacement of four cars was consistent with the typical police car replacement

program, and that the town had fallen behind in maintaining an adequate number of operable fleet cars in recent years. The cars that would be purchased with CARES Act funding and would serve as backup vehicles in instances of Covid-19 contamination, and pointed out that not utilizing vehicles for a 48-hour period in the instance of an associated positive case was a recommendation of the Virginia Department of Health. Councilman Bishop clarified that the new vehicles would replace two older vehicles with high mileage and costly maintenance, but that those would serve as the backups. Councilwoman Hicks asked if patrol vehicles were adequately disinfected, and Police Chief Sisson reported that the Police Department followed CDC guidelines for cleaning vehicles. Councilman Showalter pointed out that the purchase of four vehicles this year would provide relief in addressing vehicle needs in next year's budget. Councilman Stipes said he had had the same concerns expressed by Councilwoman Hicks, and that his questions had been satisfied by information provided by Town Manager Wingfield. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

V. INTRODUCTIONS AND PRESENTATIONS

- A. Children's Trust Board of Director's members Cord Hall and Police Lieutenant Randy Bonds to present regarding the Children's Trust and Children's Advocacy Center (CAC) of the NRV.

Cord Hall and Police Lieutenant Randy Bonds provided a brief background of the Children's Advocacy Center, located in Christiansburg, and reported that in FY 2018-2019, 206 children had been interviewed at the facility, with 36 from Christiansburg. During FY 2019 – 2020, 140 children had been interviewed, with 16 from Christiansburg. Lt. Bonds explained that the decrease in reported suspected child abuse was attributed to the Covid-19 quarantine, and an uptick in reporting was expected with the recent reopening of schools. Lt. Bonds emphasized the importance of the CAC and the Carilion forensic nurse program to criminal investigations, and he encouraged members of Council to visit both facilities to learn more about the programs that serve the families of Christiansburg. The CAC has experienced growth over the years, and Council and staff were invited to a grand opening for its expansion on September 25. Mr. Hall and Lt. Bonds thanked the Town for its continued support of the CAC.

- B. Assistant Director of Engineering Capital Projects and Utilities Justin St. Clair to present on transportation and stormwater capital projects.

Justin St. Clair provided Council with information on the Town's transportation and stormwater capital projects that were expected to be considered during upcoming budget amendment discussions. Mr. St. Clair described each transportation project, including projected funding, that included: Roanoke Street/Tower Road intersection improvements; Arbor Drive/Peppers Ferry Road intersection signal; Roanoke Street

sidewalk and 460 Bypass extension; and annual paving and primary extension paving. An overview of the stormwater capital projects was provided for the Downtown Watershed Study; Christiansburg Industrial Park stormwater management improvements, Hickok Street improvements, Sleepy Hollow drainage improvements; and College Street drainage improvements. Included in Mr. St. Clair's report was projected funding sources for each project, and the page number the item could be found in the FY 20-21 Annual Budget. Mr. St. Clair also reported on the proposed revenue-sharing projects that would be included in next year's budget and provided answers to Council's questions.

VI. CITIZEN COMMENTS (No comments)

VII. COMMITTEE REPORTS

- A. Councilwoman Sachs reported that the Christiansburg Public Art Advisory Board met today and was currently working to finalize the board's mission statement.
- B. Councilman Stipes reported that Dr. N.L. Bishop attended his first meeting of the Virginia Tech Montgomery Executive Airport Authority as the at-large member at its monthly meeting today, and that the airport expected to fully open in October, with a grand opening planned for Spring 2021.
- C. Councilwoman Hicks thanked Parks and Recreation Director Brad Epperley for the alternative options being planned for holiday events at the recreation center in keeping with Covid-19 guidelines.

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

- A. Recommendation of reappointment of Karen Drake-Whitney to the Board of Zoning Appeals for a term lasting from August 31, 2020 to August 31, 2025.

Councilman Showalter made a motion to recommend the reappointment of Karen Drake-Whitney to the Board of Zoning Appeals, seconded by Councilwoman Sachs, and Councilman Showalter thanked Ms. Drake-Whitney for her service to the Town.

Councilman Stipes commended Ms. Drake-Whitney on her history of working with local government in a variety of roles, and appreciated her knowledge of the Town. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye. Council thanked Ms. Drake-Whitney for her willingness to serve, and Ms. Drake-Whitney thanked Council for the opportunity to be a part of the BZA.

- B. Ordinance to Extend the Emergency Procedures to Ensure the Continuity of Town Government in Response to Covid-19 Disaster.

Councilman Showalter made a motion to approve the Ordinance to Extend the Emergency Procedures to Ensure the Continuity of Town Government in Response to Covid-19 Disaster, which would expire six months after the end of the declared emergency. Councilman Bishop seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter- Aye; Stipes – Aye.

- C. Ordinance amending Chapter 30 “Streets, Sidewalks, and Other Public Places” of the Christiansburg Town Code in regards to use of public rights-of-way in the B-2 Central Business District.

Mayor Barber pointed out that the proposed amendments would allow outdoor dining and other outdoor displays. Councilman Showalter made a motion to approve the proposed ordinance amendment, seconded by Councilwoman Sachs. Councilwoman Hicks said she did not think the ordinance should be only for outdoor dining, and she questioned council action on an ordinance amendment without public comment. Town Manager Wingfield pointed out that public hearings were only required for ordinance amendments that affected land use regulations, rates, or fees. The proposed ordinance amendment would only affect town-owned property, and allowed for more than just outdoor dining. Councilwoman Hicks asked if the Town should revisit the noise ordinance and mentioned Starlight Drive-in Theater. Councilwoman Sachs noted that all the businesses impacted by the ordinance, with the exception of one, expressed support for the proposed amendment. Council voted on the motion as follows: Bishop – Aye; Hicks – Abstain; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- D. Consideration of digital signage for Fire Department, Recreation Center and Town Hall under Cares Act funding.

Councilwoman Sachs made a motion to approve the digital signage as requested, seconded by Councilman Huppert. On behalf of an Aquatics Advisory Board Member, Councilwoman Sachs asked why a digital sign for the aquatic center had not been included in the request. Town Manager Wingfield explained that the aquatic center digital sign did not qualify for Cares Act funding because it had been included in the Town's budget prior to March 1, 2020, even though it had been put on hold with other capital projects with the Covid-19 situation. Mr. Wingfield explained how the proposed digital signs qualified for CARES Act funding as a means for town-wide communication, and noted that the recreation center and town hall signs had been designed during the wayfinding program. Councilman Huppert said he initially had been against digital signs, but now supports that style of signage after seeing the signs proposed for the aquatic center and fire department. In addressing the proposed sign design for the fire and rescue departments, Council expressed appreciation for the volunteers' involvement in the design, but requested that some element of the Town's branding be included on the sign, and discussed several possibilities with Chief Hanks. Finance Director Val Tweedie noted that changes in the initial design of the proposed sign could be incorporated through an addendum. Councilwoman Hicks asked if other localities

were using CARES Act funding to pay for signage, and Town Manager Wingfield replied that they were.

E. Cares Act update on Small Business Recovery Grant Program.

Assistant Town Manager Warren presented to Council the proposed Small Business Recovery Grant Review Committee Members, Cindy Snider, Cheryl Keen Tucker, and Dr. Sharon Scott, along with a brief biography of each, for consideration. Mr. Warren noted that Dr. Scott would serve on all three locality grant review committees. The committee would be active for approximately 4-6 weeks, with much of the initial legwork performed by Town staff. The Town current had twenty-seven applications for review. Councilwoman Hicks asked if Town staff could send a letter of invitation to every business owner in Town, and Mr. Warren talked about the various methods used to inform business owners of the grant opportunity. Council expressed an interest in extending the deadline to provide more time for businesses to apply, and Mr. Warren said he would discuss the impact of extending the deadline with Montgomery County and Blacksburg since the deadlines were intentionally synchronous. Council expressed support for the three proposed Review Committee Members.

IX. STAFF REPORTS

A. Town Manager:

- A. The VML Annual Conference will be held virtually October 7 – 8, and interested council members were asked to contact Town Clerk Stipes for registration.

B. Town Attorney:

C. Other Staff:

- A. Fire Chief Hanks reported that the Town's new ladder truck was expected to arrive in October, and that staff would be extensively trained on operation of the vehicle. Chief Hanks announced that there would be no Fire Prevention Parade this year due to Covid-19.
- B. Police Chief Sisson reported that the New River Health District Task Force continued to meet each week and was working closely with the local universities and Montgomery County Public Schools, in partnership with Virginia Department of Emergency Management, and the Virginia Department of Health, to mitigate virus spread with recent school openings. Chief Sisson reported a spike in cases among college students, which had begun decrease, and noted limited community spread during the initial increase. Chief Sisson stressed that a spike in cases had been expected with the opening of schools, and that the universities and MCPS had proactive plans in place to minimize exposure and spread.

X. COUNCIL REPORTS

- A. Councilman Huppert referred to the Town's commitment last spring to approve a scaled back annual budget for FY 2021, due to unknown impacts of Covid-19, with the intention of reconsidering postponed key items in the fall. In anticipation of budget amendment discussions, Mr. Huppert pointed out that projected costs for development of the Town park would only increase with time, and to also consider that interest rates were currently very low.
- B. Councilman Stipes, no report.
- C. Councilman Showalter, no report.
- D. Councilman Bishop, no report.
- E. Councilwoman Sachs relayed citizen concerns regarding the lack of maintenance and upkeep of Roselawn Cemetery. Town Manager Wingfield reported that he had spoken with Ross Chandler of StoneMor Corp., who was in the process of cleaning and maintaining headstones, the mausoleum, and the overall landscaping of the cemetery. The Town will continue to work with StoneMor Corp., and will provide updates to Council. Councilman Showalter urged Mr. Wingfield to emphasize to Mr. Chandler the Town's utmost expectation that the cemetery be appropriately and regularly maintained.
- F. Councilwoman Hicks requested the Town continue to stream meetings on Facebook Live, instead of YouTube, so individuals watching could post visible comments during meetings. Town Manager Wingfield noted that the Town provided several convenient avenues for public comment during meetings, and Councilwoman Sachs added that some of the visible public comments posted during meetings streamed on Facebook Live were inappropriate for a public meeting.

XI. OTHER BUSINESS

A. Closed Meetings:

- 1. Councilwoman Sachs made a motion to enter into a Closed Meeting under Code of Virginia § 2.2-3711(A)(7), for the 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. The Closed Meeting is for Council discussion of Town's involvement in pending litigation Carrols LLC and A&V Real Estate LLC v. NRV Marketplace, LLC.; and

A Closed Meeting under Code of Virginia § 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 Council to discuss appointment of Clerk of Council. Councilman Bishop seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

2. Reconvene in Open Meeting.
3. 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 Showalter and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes - Aye.
4. Council action on the matters. No action was taken by Council on either matter.

XII. ADJOURN

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 10:18 P.M.

Michele Stipes, Clerk of Council

D. Michael Barber, Mayor