

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
SPECIAL MEETING MINUTES – 6:00 P.M.
REGULAR MEETING MINUTES – 7:00 P.M.
OCTOBER 13, 2020**

A SPECIAL MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VIRGINIA, ON OCTOBER 13, 2020 AT 7:00 P.M.

COUNCIL MEMBERS PRESENT: Mayor D. Michael Barber; Samuel M. Bishop; Johana Hicks; Steve Huppert; Henry Showalter; Bradford J. Stipes. ABSENT: Vice-Mayor Merissa Sachs.

ADMINISTRATION PRESENT: Town Manager Randy Wingfield; Assistant Town Manager Andrew Warren, Clerk of Council Michele Stipes; Town Attorney Reid Broughton.

SPECIAL MEETING

- I. Call to Order
- II. Discussions by Mayor and Council Members
 - A. Councilman Stipes made a motion to enter into 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 was for Council to discuss appointment of Clerk of Council. Councilman Showalter seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Absent; Showalter – Aye; Stipes – Aye.
 - B. Reconvene in Open Meeting.
 - C. Certification.
Councilman Stipes 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; Huppert – Aye; Sachs – Absent; Showalter – Aye; Stipes - Aye.
 - D. Council action on the matters. No action was taken by Council.

--- Recess until 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 OCTOBER 13, 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.

*Per Town policy, Vice-Mayor Merissa Sachs requested approval to join the meeting via Zoom from her residence, due to self-quarantine after traveling out of state to an area with an increased COVID-19 rate. There were no objections from Councilmembers, and Mayor Barber granted approval. Councilwoman Sachs joined the meeting at 7:16 P.M.

ADMINISTRATION PRESENT: Town Manager Randy Wingfield; Assistant Town Manager Andrew Warren, Clerk of Council Michele Stipes; Town Attorney Reid Broughton; Director of Public Relations Melissa Demmitt; Finance Director Valerie Tweedie; Police Chief Mark Sisson; Executive Assistant Tracy Heinline.

REGULAR MEETING

I. CALL TO ORDER

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

II. ADJUSTMENT OF THE AGENDA

- A. Councilwoman Hicks requested an opportunity to explain her absence at the September 22, 2020 council meeting. Mayor Barber added the matter under Discussions by Mayor and Council.
- B. Councilman Stipes requested an adjustment to the agenda to add consideration of the appointment of a Deputy Clerk of Council. Mayor Barber added the matter under Discussions by Mayor and Council.

III. PUBLIC HEARINGS

- A. Conditional Use Permit request by applicant Colin Huff for a towing service at property owned by L & R Burch Properties LLC located 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.

Applicant Colin Huff of Loco Roadside, explained his request for a CUP that would allow his towing company to be added to the Town and County's towing service rotation list. Loco Roadside provides roadside service for a number of major insurance companies and is located off N. Franklin Street/U.S. Route 460 Business, behind Dwelling Place Church. Mr. Huff

attended the Planning Commission Public Hearing where he explained his intention to build a screening fence around his vehicle storage lot and agreed to store no more than ten vehicles at a time.

Tulio O'Reilly, Pastor at Dwelling Place Church, addressed Council in support of the CUP request by Colin Huff, but brought his concern to Council regarding the easement access through Dwelling Place property. Mr. O'Reilly explained that when Route 460 Business was developed, the easement into the Loco Roadside property was terminated, and an access easement was provided through the Dwelling Place property that would serve a number of business properties and a Town-owned pump station. Mr. O'Reilly stated that while the existing easement provided for shared access, it did not provide for shared maintenance of the easement, which has been maintained exclusively by Dwelling Place. Mr. O'Reilly requested the Town consider partnering in maintaining the easement since it was used as an access by the Town's Public Works Department.

IV. CONSENT AGENDA

- A. Meeting Minutes of September 22, 2020.
- B. HVAC Maintenance and Repair contract with Trane for Aquatics \$28,500 annually.
- C. Biosolid Hauling and Application Contract with ELMS Inc. at an annual amount of \$188,476 estimated based on prior years quantities.
- D. Contract for Design of Biosolids Management System with CHA for \$459,000.
- E. Contract with McDonough Bolyard Peck, Inc. d/b/a MBP for Construction Engineering and Inspection Services on the Roanoke Street – Tower Road Intersection Project in the amount of \$209,928.
- F. Acknowledgment of Proclamation Recognizing November 1, 2020 as Extra Mile Day.

Councilman Showalter made a motion to approve the consent agenda, seconded by Councilman Bishop. Council voted on the motion as follows: Bishop – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye. Councilman Huppert noted that Item B was supported by Aquatics Director Terry Caldwell.

V. INTRODUCTIONS AND PRESENTATIONS

- A. Christiansburg Bikeway – Walkway Committee Letter to Town Council.

Ashley Briggs, Chair of the Bikeway Walkway Committee, presented Council with a letter of support for the proposed Town Park from the Bikeway Walkway Committee. A copy of the letter is attached to these minutes for reference. As Council representation on the Bikeway Walkway Committee, Councilman Stipes proposed that the park would offer a different type of recreation amenity in Christiansburg as a public open space and loop trail system.

VI. CITIZEN COMMENTS (No comments presented)

VII. COMMITTEE REPORTS

- A. Councilman Stipes reported on the Virginia Tech Montgomery Executive Airport Committee meeting held October 13, 2020, and noted that the airport expansion had already proven to be an asset to the region with the recent landing of a C-5 aircraft.
- B. Councilman Huppert reported on the various fitness classes at the aquatic center and stringent Covid-19 screening, and encouraged the public to participate in the programs offered at the facility.
- C. Councilman Showalter, no report.
- D. Councilman Bishop, no report.
- E. Councilwoman Sachs, no report.
- F. Councilwoman Hicks invited the public to participate in the upcoming Halloween event at the recreation center.

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

- A. Consideration of Appointment of a Deputy Town Clerk. Councilman Stipes made a motion to accept Town Manager Wingfield's recommendation to appoint Tracy Heinline to serve as Deputy Town Clerk through December 31, 2020, and to provide her a stipend of \$300 per month for November and December, and a \$200 stipend for October, for attendance at meetings of council and mentoring by the current Clerk of Council. Councilwoman Hicks seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs - Aye; Showalter – Aye; Stipes – Aye.
- B. Political displays at Town events and Town-sponsored events. Council discussed a citizen complaint regarding Democrat/Republican displays at a recent Farmers Market, with Town Manager Wingfield explaining the difference between a Town event and a Town-sponsored event. The Farmers Market would be classified as a Town event. Councilman Huppert noted that the recent political booths were non-aggressive representation of two political parties, and he stated support for allowing the political displays as an important part of the democratic process. Councilman Showalter said requests for political displays put Town staff in a difficult position when reviewing applications, and added that political displays could be polarizing, and allowing could set a precedent for controversial displays. Town Manager Wingfield noted that the recent displays were approved for one week only. Councilman Stipes cautioned that the Town risked the appearance of endorsement with vendors in attendance, and expressed opposition to allowing any political displays at Town events in the future. Councilwoman Hicks added that the Farmers' Market was intended to unite the community and pointed out that political displays could be seen as polarizing. Ms. Hicks further added that, while free speech was important, polarizing issues should be avoided at Town events. Town Attorney Reid Broughton advised that, while First Amendment rights must be protected by the Town, all Town-owned forums must be content neutral. Mr. Broughton cautioned he was unsure if the Farmers Market was considered a free speech forum but noted that since space had to be

registered for, it was reasonable to expect limitations on free speech. Mr. Broughton said he would research the matter and provide Council with a more definitive response. Council agreed to the drafting of a policy for direction in this matter and further agreed to an immediate ban on all political displays at all Town events, with the support of Attorney Broughton.

- C. Councilwoman Hicks took the opportunity to explain her reason for declining to participate in the September 22, 2020 council meeting via Zoom, due to policy requirements that she seek approval from Mayor Barber and disclose the reason for her absence. Mrs. Hicks stated that she was not comfortable publicly disclosing personal family matters and that was the reason she decided not to attend electronically. It was noted that conversation regarding the matter was through email. Mrs. Hicks disputed Mayor Barber's comment at the opening of the September 22 meeting that she chose not to participate via Zoom, without offering her reason why. Mayor Barber said he, too, was uncomfortable with the disclosure requirement, but reminded Mrs. Hicks that she voted favorably for the resolution governing electronic attendance that included the requirement. Attorney Broughton reiterated the circumstances in which an elected official may participate in a public meeting electronically, as provided for by Virginia Code and included in the resolution adopted by Council on August 25, 2020.

IX. STAFF REPORTS

A. Town Manager:

- Council rescheduled the budget amendment work session for October 29, 2020 at 6:00 p.m. and was provided a copy of the Cares Act expenditures for budget discussion preparation.
- Council rescheduled the budget amendment Public Hearing for November 10, 2020.
- Council discussed the use of food trucks at Town events and on Town property, specifically the "Food Truck Fridays" held in the recreation center parking lot two Fridays in October. Councilwoman Hicks expressed concern that food trucks competed with locally owned restaurants, and did not provide the jobs or pay the taxes that local restaurants did, and she suggested the Town offer businesses an opportunity to provide food displays on Town property. Town Manager Wingfield described the regulations and requirements for food trucks to operate in Town and noted that local restaurant businesses had been offered opportunities to provide food displays at Town events. Councilman Huppert stated that food trucks had been a unifying form of entertainment in Christiansburg for a number of years and he fully supported continued use of food trucks in town. Councilman Stipes referred to food trucks as part of the ecosystem of the Town, and noted that food trucks paid prepared meals tax, business license fees if operating outside of a town events, provided jobs, and added to the recreation experience in the community. Mr. Stipes said that food trucks only operated occasionally, with a few hours here and there, and he did not support disallowing food trucks at Town events and locations. Councilman Showalter concurred with Mr. Stipes, and stressed that food trucks were only in operation on a short-term, occasional basis, and, as such, were not in competition with local restaurants. Mr. Showalter expressed his support for continued use of food trucks in town. Councilman Bishop commented that food trucks were an important form of entertainment in the community and he supported continued use at Town events. Councilwoman Sachs said she initially had the same concerns expressed by Mrs. Hicks regarding competition and reached out to local businesses with her concerns. In speaking with local business owners, Ms. Sachs said she learned that many businesses were

in support of food trucks at events because they received overflow business. Ms. Sachs pointed out that food trucks benefited the Town through meals tax and job creation, and she supported continued use of food trucks at Town events and on Town property.

B. Town Attorney:

C. Other Staff:

X. COUNCIL REPORTS

- A. Councilman Huppert announced that Mr. Bob Dobson, long-time resident and former Assistant Principal of Christiansburg Middle School, passed away last week. Mr. Huppert worked with Mr. Dobson at the middle school and he shared how much the students appreciated him and how important he was to the entire community. Mr. Huppert said Mr. Dobson would be greatly missed by many.
- B. Councilman Stipes said he served with Mr. Dobson on the Planning Commission for several years, and that he was a kind, courteous man who loved people and the Town. Mr. Stipes said Mr. Dobson served the Christiansburg community well and he offered his condolences to the Dobson family.
- C. Councilman Showalter said he had many memories of Mr. Dobson as a school administrator, and that he was a greatly respected and appreciated member of the school community, and the Christiansburg community, who will be greatly missed.
- D. Councilman Bishop said he shared many personal experiences with Mr. Dobson and knew him to be a well-respected member of the community, who will be greatly missed by many.
- E. Councilwoman Hicks offered her sympathies to the Dobson and Drake families and talked about Will Drake's dedicated service to the community as Planning Director, and as staff to the Planning Commission.
- F. Mayor Barber echoed the sentiments expressed for Will Drake and Bob Dobson, and shared that he had served with Mr. Dobson on the Rosa Parks Playground Board, who, for many years, expressed the desire to combine Depot Park and Rosa Peters Park to create an expanded and shared community space.

XI. OTHER BUSINESS

XII. ADJOURN

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 8:04 P.M.

Michele Stipes, Clerk of Council

D. Michael Barber, Mayor