

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
NOVEMBER 10, 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 NOVEMBER 10, 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, Town Attorney Reid Broughton; Clerk of Council Michele Stipes; Deputy Clerk of Council Tracy Heinline; Treasurer/Finance Director Valerie Tweedie; Director of Engineering Wayne Nelson; Director of Public Works Jim Liancianese; Public Works Streets Superintendent Travis Moles; Parks and Recreation Director Brad Epperley; Police Chief Mark Sisson; Fire Chief Billy Hanks.

REGULAR MEETING

I. CALL TO ORDER

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

II. ADJUSTMENT OF THE AGENDA

- A. Councilwoman Hicks made a motion to remove Item D from the consent agenda for discussion, and to separate funding for the proposed Town park, and the increased VRS multiplier, from Budget Amendment #1 for separate vote. Councilman Bishop seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Nay; Sachs – Nay; Showalter – Nay; Stipes – Nay. On a vote of 2 – 4, the motion did not pass.

III. PUBLIC HEARINGS

- A. Budget Amendment #1 for FY 2021.

Mayor Barber noted that Council had held a work session to discuss the proposed Budget Amendment #1, and further noted that the Town had received eight written citizen comments in support of the proposed Town park, and eight written citizen comments opposing the park. No one spoke for or against the budget amendment during the Public Hearing. Councilwoman Hicks asked if she could read the written citizen comments opposing the park that had not yet been provided to Council, and Mayor Barber asked her to choose one that provided the

overall sentiment of the emails. Councilwoman Hicks read the email from Linda Ambler that voiced opposition to the proposed park due to the estimated cost.

IV. CONSENT AGENDA

- A. Meeting Minutes of October 27, 2020 and October 29, 2020.
- B. Monthly Bill List.
- C. Contract approval for public transportation services with Blacksburg Transit for \$170,000.
- D. Contract with Century Engineering, Inc. d/b/a NXL for Construction Engineering and Inspection Services on the Hickok Street Improvements Project in the amount of \$437,277.38.
- E. Resolution recognizing November 28, 2020 as Small Business Saturday.

Councilman Stipes made a motion to approve items A, B, C, and E of the consent agenda, seconded by Councilman Showalter. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Item D. Councilwoman Hicks asked for clarification on the Hickok Street project funding noted in Item D of the consent agenda. Town Manager Wingfield responded that the funding was for the Hickok Street drainage project and did not involve or include the Farmers Market. Mr. Wingfield explained that funding for the street drainage project could qualify as the match required for the Farmers Market construction grant through the Appalachian Regional Commission. Councilwoman Hicks made a motion to approve Item D, seconded by Councilman Bishop. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

V. INTRODUCTIONS AND PRESENTATIONS

VI. CITIZEN COMMENTS

- A. Jeff Akers, 345 Howery Street, was present to speak against items in the Budget Amendment #1, due to the current economic situation faced by citizens.
- B. Kathy Meadows, 75 Walnut Drive, was present to show personal support for the proposed Town park.
- C. Angela Akers, 345 Howery Street, expressed concern that many people who have worked hard through the pandemic have gone unrecognized. She was also present to speak in opposition to funding proposed in the Budget Amendment #1.
- D. Randall Hampton, 1420 Sleepy Hollow Road N.W., resident since 1987, was present to speak in opposition to the proposed Town park due to the potential impact it could have on taxes and noted the increases to his water bill over the years. Mr. Hampton said that, as a retiree, tax increases have a significant impact on his well-being, and he believed taxes in Christiansburg were already high.

VII. COMMITTEE REPORTS

A. Stipes and Bishop – Street Committee Report/Recommendation on:

1. Subdivision and Lot Line Adjustment Between Properties of Starlight MHP, LLC and Billy D. Massie and Ruth G. Massie at 340 Starlight Drive SE (2 new lots)

Councilman Stipes explained the lot line adjustment that would separate an existing single-family home from the existing mobile home park property. Town staff and the Street Committee have reviewed the request and found it to conform with the subdivision ordinance. Councilman Stipes made a motion to approve the request, seconded by Councilman Bishop. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

2. Subdivision Plat for Robert B. Cornish, Carol Cornish, and Bill A. Rice on the corner of Murray Street NE and King Street NE (1 new lot)

Councilman Stipes reported on the request to divide two lots into three for construction of a single-family home. The third lot would be located between the two existing lots, and both property owners have agreed to the subdivision. Town staff and the Street Committee have reviewed the request and Councilman Stipes made a motion for approval, seconded by Councilman Bishop. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Councilman Stipes reported that the Street Committee had met twice on the Chic-fil-A site to study traffic back up issues in the area, and had taken measures to lengthen the turn lane into the restaurant, with future discussions planned on potential additional measures to further improve the situation.

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

A. Street closure for Christmas at the Market on December 10, 2020.

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

B. Leave of absence for Planning Commission member Jeananne Kries until January 2021.

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

C. Approve resolution to adopt the Budget Amendment #1.

Councilman Huppert provided an overview of the annual budget process last spring that resulted in postponed items due to Covid-19 uncertainties. At that time, it was Council's stated intent to revisit the postponed items in the fall in the form of a budget amendment. Council was provided

an itemization of the proposed budget amendment and discussed the items during a recent work session. As such, Councilman Huppert made a motion to approve the Budget Amendment #1 for FY 2020-2021 as presented, in its entirety, seconded by Councilman Stipes.

Councilwoman Hicks spoke against the proposed \$25M budget amendment and the inclusion of the Town park funding, noting the economic impacts of Covid-19 on the community, and continued uncertainties regarding the pandemic. Mrs. Hicks stated she supported the pay increases included in the amendment but took issue with the park funding and the proposed increased VRS multiplier for future police department retirees and requested those two items be removed from the budget amendment for separate vote. Mrs. Hicks further stated that it appeared that the park had been hidden in the amendment and that citizens had not been given a chance to vote on paying for the park. In addition, Mrs. Hicks had concern that Finance Director Val Tweedie said she could not guarantee there would be no tax increase as a result of the park construction. Mayor Barber stated he believed Mrs. Hicks had asked for a guarantee of no tax increase in the next ten years and he did not think the County or other localities could make such promises either. Mrs. Hicks also stated that she spoke with Delegate Nick Rush who advised her that funding of the park would have to go to referendum for public vote if it exceeded \$10 million. Councilwoman Sachs noted that she had been unable to find the referendum requirement in State Code mentioned by Councilwoman Hicks. Mrs. Hicks asked Council to address infrastructure needs in town before considering the construction of a park and asked Town Manager Wingfield to study the outcome of other localities that had recently constructed recreation facilities. Councilwoman Hicks then asked why projections were included in the budget amendment, and Mrs. Tweedie explained the importance of projections to understanding and approving the long-term capital projects as a whole.

Mrs. Tweedie addressed Council regarding the unassigned reserved funds, and noted that at the current percentage of 43.8%, the Town could cover some of the costs of the park, if necessary, and remain fiscally sound. Councilwoman Sachs said that she initially viewed the park as a business decision, but through discussions over the past three years, had come to understand that there were things the Town provided for its citizens that did not result in revenue. Ms. Sachs' shared with Council portions of the Victus report that helped her understand the importance of the park to the future of Christiansburg, and the positive financial impacts it would have on the community, and noted she believed the sponsorship and donation projections had been underestimated. Councilman Stipes disputed Councilwoman Hicks' claim that the park appeared hidden from the public, and stated that the park planning process had been publicly visible since the beginning of discussions over three years ago. Councilman Stipes offered a history of the park planning process, and an overview of the items in the budget amendment, adding that, historically Council had voted on annual budgets and budget amendments, as a whole, rather than breaking them down by topic according to what each member approved or disapproved of. Additionally, Councilman Stipes noted that if the budget amendment failed, Council would then need to revisit specific items in the amendment. Councilwoman Hicks insisted that no one in Town knew funding for the park had been included in the budget amendment presented.

Councilman Showalter took a moment to thank Town staff and employees for keeping the operations of the Town as normal as possible during the pandemic, and expressed his support for the pay increases included in the amendment that would provide a competitive edge for Public Works employees. Mr. Showalter commented that the proposed VRS multiplier increase would

also help the Town stay competitive with neighboring localities. Mr. Showalter then spoke to the transparency of the park planning process that included articles in the newspaper and on social media, community input meetings, a community input survey, and many discussions by Council, and noted that the park would be important to the future of Christiansburg in many ways, including aiding “brick and mortar” resources. Councilman Bishop commented that he initially supported the request to remove the park funding from the budget amendment for separate action, because he did not want to chance negatively impacting the proposed pay increases or the VRS multiplier increase due to lack of support for the park funding. Councilwoman Hicks urged Council to separate the items for separate vote. Council voted on the motion as follows: Bishop – Aye; Hicks – Nay; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

D. Approve resolution to appropriate funds in Budget Amendment #1.

Councilwoman Sachs made a motion to approve the resolution to appropriate funds in Budget Amendment #1, seconded by Councilman Huppert. Council voted on the motion as follows: Bishop – Aye; Hicks – Nay; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

E. Discussion of Code of Ethics/Report from Town Attorney.

Town Attorney Reid Broughton explained that the Town had received a Code of Ethics complaint by Chris Waltz against Councilwoman Sachs for comments made on social media, and noted that the Town’s Code of Ethics, readopted in March 2020, did not include enforcement provisions for violations. Mr. Broughton further explained that social media, Facebook specifically, was a public forum that provided First Amendment protections, but that Council had the choice to impose discipline, if violations were found. Councilwoman Sachs clarified that the complaint was over her comment on Facebook that Council had discussed postponing a vote on park funding for a year. Council later chose to include the matter in Budget Amendment #1. Councilwoman Hicks added that Ms. Sachs called Mr. Waltz a liar on social media and made a motion to direct Councilwoman Sachs to offer him an apology. The motion died for lack of a second.

IX. STAFF REPORTS

A. Town Manager:

- Council was provided a resolution in support of the new VRS multiplier as required by Virginia. Councilman Stipes made a motion to approve the resolution, seconded by Councilman Showalter. Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.
- Public Hearing for the Town Park financing was scheduled for December 8, 2020.

B. Town Attorney: No report.

C. Other Staff: No report.

- Finance Director Val Tweedie explained the revised monthly bill list schedule due to the November and December meeting cancellations.

X. COUNCIL REPORTS

A. Councilman Stipes, no report.

B. Councilman Showalter, no report.

C. Councilman Huppert said that during his eleven years on Council, he has always tried to support Town employees and staff, which was especially important now due to the pandemic. Mr.

Huppert said it was also important that the Town continue to grow, expand, and improve the quality of life in Town, which was a responsibility of Council as visionaries.

- D. Councilman Bishop presented Council with a recommendation from the Central Business District Committee to temporarily relocate the Farmers Market to the recreation center, due to construction of the Hickok Street stormwater project. Mr. Bishop noted that Brad Epperley and Marty Gordon had assisted the committee in choosing the proposed location. Councilman Bishop made a motion to approve the recommendation, seconded by Councilman Stipes. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.
- E. Councilwoman Hicks said the Christmas Market was scheduled for December 10, with the reverse Christmas Parade on December 11, from 7-9 p.m. Mrs. Hicks then thanked Brad Epperley for his, and Parks and Recreation staff's, efforts in organizing the recent Halloween event at the recreation center. Mayor Barber added that the Christmas Tree lighting would be held the same night as the Christmas Market.
- F. Councilwoman Sachs recalled the discussion regarding the number of water shut-offs in October and clarified that October 2020 had ninety-four more shut-offs than October 2019. Ms. Sachs then raised concerns with Mrs. Hicks' post on Facebook that Finance Director Val Tweedie had advised her to vote "no" on Budget Amendment #1, and asked Mrs. Tweedie if that was true. Mrs. Tweedie stated she did not advise Mrs. Hicks how to vote on the budget amendment or the park funding, and further clarified Mrs. Hicks' comment regarding tax increases related to the park by adding that she does not make promises or commitments with regard to tax increases because that was not her call, but rather a decision of Council. Councilwoman Hicks commented that she could not remember posting on Facebook that she was advised how to vote by Mrs. Tweedie.

XI. OTHER BUSINESS

XII. ADJOURN

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 8:20 P.M.

Michele Stipes, Clerk of Council

D. Michael Barber, Mayor