



AGENDA

REGULAR MEETING OF TOWN COUNCIL
CHRISTIANSBURG TOWN HALL
100 EAST MAIN STREET
MARCH 9, 2021 – 7:00 P.M.

(The meeting will be in-person and streamed on YouTube Live)

In compliance with current public health guidelines pertaining to social distancing, limited seating will be available in the council chambers during the meeting. Limited viewing will also be available in the administrative conference room located on the same floor. Members of the public may make comments to Council in-person during Citizens Comments.

The meeting will be streamed live on the Town of Christiansburg's YouTube page at www.christiansburg.org/YouTube and will remain on the Town's YouTube page once the meeting concludes.

If you do not want to or cannot attend the meeting in-person, there are several contactless methods for submitting public comment. To submit public comments, please visit www.christiansburg.org/publichearings. You may also leave a voicemail with your comments at 540-382-6128, ext. 1109; mail a letter to Town Hall, ATTN: Town Council, 100 E. Main St., Christiansburg, VA 24073; use the drop box to the left of the front doors at Town Hall to leave a letter; or email info@christiansburg.org. Regardless of the method you use, please include your full name and address with your comments. Please provide comments prior to 6:00 p.m. on Tuesday, March 9, 2021 for the comments to be distributed to Town Council before the meeting.

REGULAR MEETING

I. CALL TO ORDER

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

II. ADJUSTMENT OF THE AGENDA

III. PUBLIC HEARINGS

- A. Conveyance of an access easement from the Town of Christiansburg over and across a portion of Tax Parcels 435 - ((A)) -1, 2, 2A and 3 to benefit Tax Parcel 435 - ((A)) - 34 (owned by Jalaledin and Joni L. Dadras).
- B. Conveyance by quitclaim of any interest of the Town in approximately 0.093 acres of the abandoned right-of-way of Route 658 adjacent to Tax Parcel 435 - ((A)) - 34 (owned by Jalaledin and Joni L. Dadras).
- C. Conveyance to Miller Land Company, Inc. by quitclaim and boundary line adjustment of approximately 0.089 acres consisting of (a) the abandoned right-of-way of Route 658 adjacent to Tax Parcel 435 - ((A)) - 39A (owned by the Miller Land Company, Inc.), and (b) a portion of Tax Parcel 435 - ((A)) - 1, 2, 2A, and 3.
- D. Conveyance of a stormwater management easement from the Town of Christiansburg on Tax Parcel 435 - ((A)) - 1, 2, 2A, and 3 for the benefit of Tax Parcel 435 - ((A)) - 39A owned by the Miller Land Company, Inc., et al.
- E. Dedication of a conservation easement on approximately 0.868 acres of Tax Parcel 435 - ((A)) - 1, 2, 2A, and 3 (proposed park on Peppers Ferry Road, N.W.).
- F. Dedication of a conservation easement on approximately 5.018 acres of portions of Tax Parcel 495 - ((2)) - A. (Diamond Hills Park).
- G. Dedication of a conservation easement on Tax Parcel 496 - ((A)) - 101A (approximately 10.406 acres adjacent to closed Wades Lane Landfill).

IV. CONSENT AGENDA

- A. Approval of Minutes of February 23, 2021 and Work Session Minutes of March 2, 2021.
- B. Resolution Recognizing March 21, 2021 as Down Syndrome Awareness Day.
- C. Schedule public hearing on March 23, 2021 for an Ordinance amending Sec. 18-204 of Article VII. Transient Lodging Tax of Chapter 18 Finance and Taxation of the Christiansburg Town Code in regards to the lodging tax penalty.
- D. Schedule public hearing on April 27, 2021 for a Conditional Use Permit request by Sareh Ostadhosseinkhayyat (applicant) for a family day home serving up to 12 children at property owned by Helen Sedigh and Mohammadreza Ostadhosseinkhayyat located at 1265 Flint Drive S.E., (Tax Parcel 529 - ((21)) - 9) in the R-1, Single Family Residential zoning district. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

- E. Schedule public hearing on April 27, 2021 for a Rezoning request from A, Agriculture zoning district to B-3, General Business zoning district by the Trinity Community Church Trustees located at 1505 N. Franklin Street (Tax Parcel 466 - ((A)) - 20A). The property is designated as Business/Commercial on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

V. INTRODUCTIONS AND PRESENTATIONS

VI. CITIZEN COMMENTS

VII. COMMITTEE REPORTS

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

- A. Request to vacate the right-of-way from the Town to the Montgomery County School Board for the Christiansburg High School “bus loop” at 100 Independence Boulevard N.W. (Tax Parcel 466 - ((2)) - 11A) (.954 acres).
- B. Request to authorize the conveyance from the Town to the Montgomery County School Board for the Christiansburg High School “bus loop” at 100 Independence Boulevard N.W. (Tax Parcel 466 - ((2)) - 11A) (.954 acres).
- C. Rezoning request by Gay and Neel, Inc. (applicant), for an approximately 1.38 acre property owned by Depot Street Development LLC, located at the intersection of Depot Street, N.E. and Harless Street, N.E. (Tax Parcels 497 - ((A)) - 288, 497 - ((A)) - 288A, 497 - ((A)) - 288C, 497 - ((A)) - 285, 497 - ((A)) - 286, 497 - ((13)) - 3, and 497 - ((13)) - 1E). The request is to rezone the property from B-3, General Business 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.
- D. Two Conditional Use Permit requests by Balzer & Associates, Inc., on behalf of SHAH Development, LLC (applicant/owner), for a 3.2 acre parcel located at 1145 West Main Street (Tax Parcel 556 - ((A)) - 39) in the B-3, General Business District:
 - 1. A conditional use permit request for residential uses as permitted in the R-3, Multi-Family Residential District. Residential uses as 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.
 - 2. A conditional use permit request for a proposed Planned Housing Development to consist of single-family, two-family, and multiple-family dwellings at a density of development not to exceed 7.8 units per acre.
The property is partially designated as Business/Commercial and partially designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

- E. [Updates to the Employee Handbook.](#)
- F. [Resolution Authorizing the Issuance and Sale of Town General Obligation Refunding Bond, Series 2021 in an Aggregate Principal Amount Not to Exceed \\$3,090,000, and the Execution and Delivery of Certain Related Documents. This is in regard to the refinancing of a Carter Bank & Trust 2014 bond.](#)

IX. STAFF REPORTS

- A. Town Manager
- B. Town Attorney
- C. Other Staff

X. COUNCIL REPORTS

XI. OTHER BUSINESS

XII. ADJOURNMENT

Upcoming meetings of Council:

March 16, 2021, time to be determined – Budget Work Session
March 18, 2021, time to be determined – Budget Work Session
March 23, 2021, 7:00 P.M. – Regular Meeting
April 13, 2021, 7:00 P.M. – Regular Meeting



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Public Hearing

Meeting Date:

March 9, 2021

ITEM TITLE:

- III. A. Conveyance of an access easement from the Town of Christiansburg over and across a portion of Tax Parcels 435 - ((A)) -1, 2, 2A and 3 to benefit Tax Parcel 435 - ((A)) - 34 (owned by Jalaledin and Joni L. Dadras).

- III. B. Conveyance by quitclaim of any interest of the Town in approximately 0.093 acres of the abandoned right-of-way of Route 658 adjacent to Tax Parcel 435 - ((A)) - 34 (owned by Jalaledin and Joni L. Dadras).

DESCRIPTION:

Related to the development of the future connector road and the overall development of the park, these two conveyances clarify that access to Tax Parcel 435 -((A))- 34 owned by (owned by Jalaledin and Joni L. Dadras) will be in a permanent easement across Tax Parcels 435 - ((A)) -1, 2, 2A and 3 (the park property). The first public hearing is required since this access is being conveyed across publicly owned property to a private residence. The second public hearing is required since it releases the Town of any interest that it may have in the abandoned right-of-way in front of Tax Parcel 435-((A))-34. Both actions by Town Council will allow for the Town to build a new access drive from Peppers Ferry Road to Tax Parcel 435-((A))-34 for this parcel. An agreement has also been developed between the Town and the property owners to specify the location, width, and material of the drive, as well additional landscaping and fencing to be provided by Town at the request of the property owners.

POTENTIAL ACTION:

Hold Public Hearing and Consider Action on March 23, 2021

DEPARTMENT(S):

Town Manager's Office

PRESENTER:

Andrew Warren, Assistant Town Manager

Information Provided:

Exhibit

<https://christiansburg.box.com/s/egqzjmw6bl93598orihvfcrufiles5chr>



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Public Hearing

Meeting Date:

March 9, 2021

ITEM TITLE:

- III. C. Conveyance to Miller Land Company, Inc. by quitclaim and boundary line adjustment of approximately 0.089 acres consisting of (a) the abandoned right-of-way of Route 658 adjacent to Tax Parcel 435 - ((A)) - 39A (owned by the Miller Land Company, Inc.), and (b) a portion of Tax Parcel 435 - ((A)) - 1, 2, 2A, and 3.

- III. D. Conveyance of a stormwater management easement from the Town of Christiansburg on Tax Parcel 435 - ((A)) - 1, 2, 2A, and 3 for the benefit of Tax Parcel 435 - ((A)) - 39A owned by the Miller Land Company, Inc., et al.

DESCRIPTION:

Related to the development of the future connector road and the overall development of the park, these two conveyances provide for a quitclaim deed for any interest the Town of Christiansburg may have in the abandoned right-of-way of Route 658 adjacent to Tax Parcel 435 - ((A)) - 39A owned by the Miller Land Company, Inc (NTB Tire, 400 Peppers Ferry Road NW). It also conveys a .089 acre portion of property of Tax Parcels 435 - ((A)) -1, 2, 2A and 3 (the park property) and a portion of the abandoned right-of-way of Route 658. The first public hearing is required since public land and interest is being conveyed to a private landowner, Tax Parcel 435 - ((A)) - 39A. Also—while not part of the public hearing— a .097 acre portion of Tax Parcel 435 - ((A)) - 39A will be conveyed to the Town in order to construct a portion of the new connector road (Booker T. Washington Boulevard).

The second public hearing will convey a stormwater management easement to the Miller Land Company, Inc. on Tax Parcels 435 - ((A)) -1, 2, 2A and 3 (the park property) in order to allow stormwater to flow from this property into the future enlarged pond that will be both on Tax Parcels Tax Parcels 435 - ((A)) -1, 2, 2A and 3 and Tax Parcel 435 - ((A)) - 39A. While not part of the public hearing, the Miller Land Company, Inc. will also be conveying an easement to the Town for the portion of the pond on Tax Parcel 435 - ((A)) - 39A.

POTENTIAL ACTION:

Hold Public Hearing; Consider Action on March 23, 2021

DEPARTMENT(S):

Town Manager's Office

PRESENTER:

Andrew Warren, Assistant Town Manager

Information Provided:

Exhibits

<https://christiansburg.box.com/s/qdrnlwcsyrbrjuugn9wmv7mnnlqqw803>



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Public Hearing

Meeting Date:

March 9, 2021

ITEM TITLE:

- III. E. Dedication of a conservation easement on approximately 0.868 acres of Tax Parcel 435 - ((A)) - 1, 2, 2A, and 3 (proposed park on Peppers Ferry Road, N.W.).

- III. F. Dedication of a conservation easement on approximately 5.018 acres of portions of Tax Parcel 495 - ((2)) - A. (Diamond Hills Park).

- III. G. Dedication of a conservation easement on Tax Parcel 496 - ((A)) - 101A (approximately 10.406 acres adjacent to closed Wades Lane Landfill).

DESCRIPTION:

The three conservation easements provide for a mechanism through the State of Virginia stormwater regulations to designate these conservation areas in exchange for nutrient credits to meet stormwater quality requirements for the development of the new park. These areas will remain undeveloped. The smallest acreage designated is three areas on the proposed park. The second area is a portion of the Town-owned Diamond Hills Park located near the end of Scattergood Drive. The third area is a Town-owned parcel that borders the closed Wades Lane Landfill and is close to the end of Railroad Street NW.

POTENTIAL ACTION:

Hold Public Hearing; Consider Action on March 23, 2021

DEPARTMENT(S):

Town Manager's Office

PRESENTER:

Andrew Warren, Assistant Town Manager

Information Provided:

Diamond Hills Proposed Conservation Easement Exhibit

<https://christiansburg.box.com/s/xclt69bo2jx8ps8kk1autv0k1lz92uxe>

Wades Land Vacant Land Proposed Conservation Easement Exhibit

<https://christiansburg.box.com/s/3f2kfiqjis09qz0pyky8s1zetaokkj7>

Future Park Conservation Easement Exhibit

<https://christiansburg.box.com/s/nbd7wpajyu8uomnso5ee5ihva0qit3ym>

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
FEBRUARY 23, 2021 – 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 FEBRUARY 23, 2021 AT 7:00 P.M.

COUNCIL MEMBERS PRESENT: Mayor D. Michael Barber; Vice-Mayor Samuel M.

Bishop; Johana Hicks; Steve Huppert; Merissa Sachs; 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 Tracy Heinline; Finance Director Valerie Tweedie; Police Chief Mark Sisson.

REGULAR MEETING

I. CALL TO ORDER

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

II. ADJUSTMENT OF THE AGENDA

Councilwoman Hicks requested to separate the bill list item for \$152,000 labeled *final design and permitting regional park* from the other bills in order to vote separately. Councilman Stipes requested to postpone the *Discussion of Code of Ethics* under item VIII until the next Town Council meeting. Town Manager Wingfield referred to item B under *Introductions and Presentations* and informed Council that Program Manager Derrick Mays from the Virginia Department of Criminal Justice would not be attending but would reschedule. Councilwoman Hicks suggested Council move forward and dismiss the discussion of Code of Ethics item and expressed this item had been on the agenda numerous times. Councilman Huppert and Councilman Bishop agreed with Mrs. Hicks.

Councilwoman Hicks made a motion to separate the park item on the monthly bill list from the other bill list items. Councilman Showalter seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Councilman Stipes made a motion to remove the discussion of Code of Ethics item from the agenda and postpone it until the next Town Council meeting. Councilwoman Sachs seconded the motion and Council voted as follows: Bishop – Nay; Hicks – Nay; Huppert – Nay; Sachs – Aye; Showalter – Aye; Stipes – Aye. Noting a tie, Mayor Barber voted Nay, leaving the Code of Ethics item on the agenda for discussion.

III. PUBLIC HEARINGS

- A. Request to: (a) vacate the right-of-way; and (b) authorize the conveyance from the Town to the Montgomery County School Board for the Christiansburg High School "bus loop" at 100 Independence Boulevard, N.W. (tax parcel 466 - ((2)) - 11A) (~.954 acres).

John Neel, Engineer with Gay and Neel, Inc. reported to Council on behalf of Montgomery County Public Schools. Mr. Neel referenced a map showing the bus loop coming through the main entrance of the Christiansburg High School onto Independence Blvd. He explained there were three parcels plus the right-of-way that made up the campus and showed the option for one large parcel for the high school. Mr. Neel explained that about 60% of the property was zoned industrial I-2 and the other 40% was zoned B-3. Councilman Bishop questioned who maintained the right-of-way at the current time. Mr. Neel explained that in the past the Town and/or VDOT had maintained the right-of-way and mentioned that if the Town vacated the right-of-way the school would manage it. Councilman Stipes explained the Town had a 30-foot setback from the right-of-way and the school would be able to make improvements without setbacks and restrictions. Mr. Neel expressed that at this time they did not have an exact timeline due to the cleaning up of the property but would move forward in the near future. Councilwoman Hicks stated that she believed this item was clearly needed and expressed that with the kids going back to school full time in the next couple weeks she thought a vote would be appropriate at this time. Councilman Bishop and Councilman Showalter explained that two weeks would not make a difference for the school and it was customary for Council to wait two weeks to vote and they should remain consistent in that regard.

- B. Rezoning request by Gay and Neel, Inc. (applicant), for an approximately 1.38 acre property owned by Depot Street Development LLC, located at the intersection of Depot Street, N.E. and Harless Street, N.E. (tax parcels 497 - ((A)) - 288, 497 - ((A)) - 288A, 497 - ((A)) - 288C, 497 - ((A)) - 285, 497 - ((A)) - 286, 497 - ((13)) - 3, and 497 - ((13)) - 1E). The request is to rezone the property from B-3, General Business 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.

John Neel, Engineer with Gay and Neel, Inc. explained to Council the rezoning request was to correct the zoning issue on Depot Street, specifically changing the property from a B-3, General Business to R-3, Multi-Family Residential. Mr. Neel noted the areas were zoned business at this current time but explained the area was residential in nature. He referenced a map that explained to Council where the rezoning would take place and noted the vision at one time was for a commercial corridor along Depot Street and Harless Street.

Jessie Eaves stated she attends Greater Mount Zion United Holiness Church located near the Depot Street property and questioned how many units would be built on this property and expressed concerns about parking. She explained the parking at the church was currently difficult and when the Aquatic Center hosted events, people used the church parking lot for overflow parking. Ms. Eaves also inquired on the timeline for the development. Mr. Neel explained that parking would be in accordance with what was required by the Town and the developer could start construction hopefully in late summer or early fall if approved. He also explained there could be no more than 13 homes and those homes would be required to have sufficient off-street parking. Councilman Showalter questioned if there would be any

notification for the neighbors when development started. Town Manager Wingfield replied that residential use on the property was by-right and there would be no requirement to give notification to the neighbors, though a site plan would be required. Councilwoman Hicks inquired if any traffic studies had been performed on the property, which were not required. Councilwoman Hicks expressed concern for citizens being able to cross the street safely and noted the current sidewalks in that area needed attention and would like to see improvements.

C. Two Conditional Use Permit requests by Balzer & Associates, Inc., on behalf of SHAH Development, LLC (applicant/owner), for a 3.2-acre parcel located at 1145 W. Main Street (tax parcel 556 - ((A)) - 39) in the B-3, General Business District:

1. A conditional use permit request for residential uses as permitted in the R-3, Multi-Family Residential District. Residential uses as 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.
2. A conditional use permit request for a proposed Planned Housing Development to consist of single-family, two-family, and multiple-family dwellings at a density of development not to exceed 7.8 units per acre.

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

Steve Semones Executive Vice President for Balzer and Associates referenced slides that showed the location of the area being requested for the 3.2-acre parcel. Mr. Semones explained to Council that this request would allow single-family homes on this parcel while limiting the density of the homes to fit in the area. Mr. Semones explained the second CUP was for a planned housing development within the B-3 District, which would allow development of a variety of housing types – single-family units, duplex units, and townhomes. He noted that with the B-3 District, they could build up to 20 units per acre but would only develop half to fit appropriately on the property. He also mentioned that along W. Main Street there could be future businesses on the parcel which would give them flexibility to build. He explained that the proposed access would be off College Street instead of W. Main Street to help with any traffic impacts. Mr. Semones explained they were aware of the ongoing stormwater study and would work with the consultant for the best way to begin development. Councilwoman Hicks questioned if a traffic study had been performed in that area. Mr. Semones explained a traffic study had not been conducted but a trip study had, and the result of that study confirmed a low threshold of traffic. Councilwoman Hicks commented that College Street was used as a cut through area to get to the middle school. She expressed that several College Street residents were focused on the stormwater study and she thought it would be better to wait and asked if the stormwater study was considered when planning this development. Mr. Semones replied that if approved there would be a maximum of 32 homes built and from a timing standpoint, they would still have to decide what type of product to pursue, which means development would not start for at least 8 months. He also explained that as a B-3 zoning district, any of the by right uses could be built with just site plan approval but they would like to meet stormwater regulations. Town Manager Wingfield explained that the College Street basin study expected in April would be a general basin study and the Town would select alternatives to pursue, which could include channel improvements, piping, upstream stormwater ponds or a combination of

those. Mr. Wingfield stated that detailed designs would need to be done based on the selected alternatives for construction and stated that the Town would like to seek grants for the construction. Mayor Barber referenced the map of the proposed development and questioned if there was a way to have ingress and egress not only on College Street but also W. Main Street. Mr. Semones replied that the development was not proposed that way but if Council would see that as being beneficial then it could be adjusted. Councilman Stipes mentioned preserving the capacity of W. Main Street is important and would not like to see another entrance on W. Main Street.

Henry Nixon, 890 College Street had several concerns and questions about the development on W. Main Street. He inquired if the Town would take care of the flood problems on College Street before this new project began. Mr. Nixon explained he had lived 87 years in that area and the flooding seemed to get worse every year. He encouraged Town Council to investigate this potential development before moving forward.

Fred Umberger, 915 College Street addressed Council and said he had lived on College Street since 1986 and that the apartment complex offered looked nice but did not believe the time was right to start this project. He explained that water ran through the property constantly and when it rained heavily that water was destructive. Mr. Umberger referenced the last heavy rainstorm that came through the area and mentioned the flooding and unfortunate death of a family dog in the neighborhood. He also expressed that he knew the Town was working on the water issue but encouraged the developer to wait to develop until the flooding issue could be addressed and for Council to require that all plans be finalized with the developer before anything was started.

Beth Umberger, 915 College Street explained to Council she had constant water in her basement when she first moved into the residence. She explained that when there were homes developed above them in the past the water and flooding became worse for their property. Mrs. Umberger also mentioned the holding pond at the middle school did not actually hold the rainwater but that the water was gushing through the storm drain during the last big rainstorm. She also expressed to Council that she hoped they would wait and make sure the water issue was solved before building anything else. Councilman Stipes mentioned that recently the stormwater detention requirements had changed and had become more stringent, so any development that went in had to meet these standards.

IV. CONSENT AGENDA

A. Approval of Minutes of February 9, 2021.

Councilwoman Sachs made a motion to approve the minutes of February 9, 2021. Councilman Stipes seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

B. Monthly Bill List.

Councilwoman Hicks referenced the item on the bill list specifically for the final design of the park and questioned the amount of \$152,000. Mr. Wingfield explained that this amount was for the final park agreement of the design and the construction of the park. Mr. Wingfield

explained the interim agreement was for 80% design of the park and the final agreement includes getting the park to 100% design and construction of the park.

Councilwoman Hicks made a motion to vote for the approval of the final design of the park as stated on the monthly bill list in the amount of \$152,000. Councilman Huppert seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Nay; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Councilman Showalter made a motion to approve the monthly bill list. Councilwoman Sachs seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

V. INTRODUCTIONS AND PRESENTATIONS

- A. Program Manager Derrick Mays from the Virginia Department of Criminal Justice Services to present the Police Department's recertification document for accreditation.

Mr. Derrick Mays was unable to attend the Town Council meeting.

- B. New River Community College Educational Foundation Executive Director Angie Covey to present on the Access to Community College Education (ACCE) program.

Executive Director Angie Covey expressed thanks to Police Chief Sisson for the continued support with the Books and Badges program that had evolved into the ACCE program, a program that makes college available debt-free to high school and home-schooled graduates by funding NRCC tuition for two years. Ms. Covey expressed to Council that this year had been a very challenging period for students, especially the college students. But through the support of the community and Town Council the students had succeeded in the past year. Ms. Covey introduced students that currently participate in the ACCE program and mentioned the students could provide better insight on the program and how it has positively affected their own lives.

Zamora White explained she was currently completing her last year with the ACCE program. She expressed to Council that her family had moved to Virginia after hurricane Katrina and had lived in and out of hotels, sometimes having to sleep in their car. Ms. White explained that before finding out about the ACCE program her family would have never thought college was an option. Ms. White also expressed the feeling of giving back to the community that goes with the program and stated she had started her own haircare line and would be able to fulfill her dream of becoming a small-business owner.

Zach Blevins, 240 Virginia Drive, expressed thanks to Council for investing in his future by contributing to the ACCE program. He explained he would be graduating in May with an associate degree in nursing and then would attend Old Dominion College. He spoke of his need to give back to the community and improve the lives of his patients. He expressed that not only had the program allowed him to reach all his goals but that many other students had benefited greatly as well. Mr. Blevins explained he had been taught the value of community and giving back through this process and, among other volunteer opportunities, he had helped with local facilities with prescreening for Covid. Mr. Blevins concluded that he would be interviewing soon for an RN position at Lewis Gale Hospital Montgomery.

Jessica Valero, a sophomore at New River Community College stated she would be transferring to Radford next semester after benefiting from the ACCE program. Ms. Valero explained that her family had moved to the United States from Columbia when she was 12 years old and how difficult it had been for her and her family. She also explained that her parents had always worked hard and hoped for a good education for their children. Ms. Valero explained her main goal had always been to graduate because no one in her family had ever attended college and the ACCE program was helping her achieve that goal.

Angie Covey informed Council there was a total of 187 Montgomery County students in the ACCE program and that 70 of those students were from Christiansburg High School. She also noted that most students attend both years at New River Community College. Ms. Covey also explained that most students were participating in dual enrollment classes, which allows a student to be enrolled in two academic institutions at once, so when the students graduate high school, they would only need one year at NRCC. Councilman Stipes expressed that these students were paying it forward by attending Town Council and relaying their stories.

C. Montgomery-Floyd Regional Library Director Karim Khan to present on library operations.

Mr. Karim Khan thanked Council for the library wayfinding signage on Depot Street, directing the public to the library, and spoke about how the library had been affected by Covid in the last year. Mr. Khan reported there had been a decrease in attendance at the programs the library provided and that patron visits were down due to the pandemic. He explained the library had increased outdoor seating, improved school-age seating and installed children's computer and group worktables. He also explained the library had created an online signup for new library cards with instant access to electronic resources and item request capability. Mr. Khan mentioned there had been kiosks installed at the library so people could input their customer satisfaction. He also spoke about outreach programs such as Linden Green Apartments, Boys and Girls Club at the middle school and Galaxy Play Adventure Club. Mr. Kahn touched on the Senior Connections with craft kits and book delivery to stay in touch with seniors in the community. He reported that when the library was confronted with Covid, the library developed a curbside pickup service for patrons to pick up requested material. Mr. Khan expressed hope that looking forward the library could establish ongoing periodic outreach in communities not currently served directly by a library branch. Mr. Khan concluded that a new library mobile unit had been purchased and would go around the community 4 days a week to at-risk areas and senior congregate areas. Councilman Huppert expressed he has used the curbside pick-up at the library and thought it was a great program. Councilwoman Hicks commended the library and the programs they had provided and expressed the mobile unit would be an asset to the community.

VI. CITIZEN COMMENTS

Chris Waltz, 1370 Rigby Street, referenced the two items under Discussion and Action by Mayor and Council and expressed that Council needed to follow the Code of Ethics and not be concerned about profanity from citizens noting that a member on Council had used

profanity at the previous meeting. Mr. Waltz also referenced his past FOIA requests and urged the Town Attorney to aide Council to look up the definition of ethics.

Matt Hicks, 607 ½ S. Franklin Street expressed his pleasure that the College Street investigation was finalized and still felt it had been a waste of taxpayer funds. He reminded Council he was the leasing agent and sole owner of Summit Ridge Realty, LLC and he felt Councilwoman Hicks had been dragged into the issue because she was his spouse. Mr. Hicks concluded that there had been no charges brought against him and he felt that multiple letters and correspondence had thoroughly answered all of Council's questions. Mr. Hicks urged Council to move forward and focus on the needs of the citizens of Christiansburg.

Kent Griffith, 715 Church Street, had concerns about the current hours at the Aquatic Center explaining that it was difficult for citizens that worked late to be able to swim. He also expressed concern for the ongoing swim meets and the Aquatic Center being closed Thursday through Sunday. Mr. Griffith also complained to Council that he felt it unfair that Christiansburg citizens had to pay to use the Aquatic Center. He suggested that the Town increase the hours of the Aquatic Center to allow early morning and late evening swimming to accommodate working citizens. Councilman Huppert explained that on Tuesdays and Thursdays the Aquatic Center is open from 8:00 am to 7:00 pm and that the pool used to be open from 6:30 am until 8:00 pm pre-Covid. Mr. Huppert explained that because of the swim meets the economy gets a tremendous boost which helps everyone in the long run. Councilwoman Hicks asked Town Manager Wingfield to investigate the facility's hours and report back to Council. She expressed hope that there could be a change of hours for the working citizens of Christiansburg. Councilman Showalter and Mayor Barber both urged Mr. Wingfield to check with Aquatics Director Terry Caldwell and see if they can increase hours.

An additional citizen comment was received via email and was recorded in the final minute book for reference.

VII. COMMITTEE REPORTS

Councilman Stipes

No report.

Councilman Showalter

No report.

Councilman Huppert

No report.

Councilman Bishop

No report.

Councilwoman Sachs

No report.

Councilwoman Hicks questioned if Town Manager Wingfield had talked to Public Works about a clean-up for the recent ice storms. Councilman Showalter expressed that Public Works currently

provides clean-up monthly and they perform the pickup in quadrants. He also explained there is a section on the Town's website where citizens can contact the Town for a special pickup. Mayor Barber added that information pertaining to clean-up is posted in the water bills as well. Mrs. Hicks noted that she thought the citizens needed more direction on how to access the Town for special pick-ups.

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

A. Discussion of Resolution to Establish a Policy for Public Comment.

Mayor Barber noted that the Resolution to Establish a Policy for Public Comment was discussed at the last Council meeting and mentioned the resolution was not limiting speech or dress code for citizens and would accept a motion from Council to approve said resolution.

Hearing no motion from Council, the Resolution to Establish a Policy for Public Comment was not acted upon.

B. Discussion of Code of Ethics.

Councilman Bishop expressed his desire to close the discussion of Code of Ethics in relation to the College Street and Roanoke Street properties. Mr. Bishop explained remarks had been heard from Town management and the Town Attorneys and he did not feel the item should be discussed any further. Mayor Barber informed the public that complaints had been made to Council by citizens concerning College Street and Roanoke Street properties and the town had spent close to \$6,000 investigating those properties. Mr. Barber agreed the item should be dropped from any further discussion.

Councilman Bishop made a motion to close the discussion of Code of Ethics. Councilwoman Hicks seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

IX. STAFF REPORTS

A. Town Manager

Mr. Wingfield reported he would like to schedule public hearings for the meeting on March 9, 2021 for conveyances of property and easements regarding the connector route with the Miller and Dadras properties. A public hearing for conservation and stormwater management easements to be dedicated on the Diamond Hills Park, the former Wades landfill property located on Wades Lane and the signature park itself.

B. Town Attorney

No report.

C. Other Staff

Mayor Barber questioned Chief Sisson on the amount of tickets the Police Department had written for cellphone usage while driving. Chief Sisson answered that he would report back to Council on the number.

X. COUNCIL REPORTS

Councilman Showalter requested Council explore the idea of time limits for Council members during Discussion by Mayor and Town Council since citizens currently have time limits when they speak during the Citizen Comments portion of the meeting. Mr. Showalter mentioned that under Discussion and Action by Mayor and Town Council, once an item for discussion has been brought to the table, Council should be allotted three minutes to speak and then the item should be opened to the floor for further discussion. He noted that not all of Council had an opportunity to speak during discussions and maybe this would limit interruptions as well. Councilman Showalter also expressed that he did not think an item should be brought up during the Council Reports, referring to the discussion concerning gun control at the last Council meeting. Councilman Bishop requested that if this was a discussion that would not be voted on now then he would like to see this brought up under Discussion and Action by Mayor and Town Council at the next meeting. Councilwoman Hicks expressed that she did not think it was right to limit Council discussion and hoped they could just respect each other's time instead. She also mentioned she liked to ask questions during the meetings and wanted to be thorough and not have a time limit. Councilman Showalter explained he did not want to limit Council and expressed he would like to see uninterrupted time for each Council member. Mayor Barber requested that Council consider Councilman Showalter's request to limit discussion and Council could discuss at a future Council meeting.

Councilman Huppert reported that it looked like the rail system had received support from the legislative system and it looked promising for rail traffic to come through Christiansburg. Mr. Huppert also announced that he will not run for re-election for the next Council term.

Councilwoman Sachs
No report.

Councilwoman Hicks
No report.

Councilman Bishop
No report.

Councilman Stipes
No report.

XI. OTHER BUSINESS

XII. ADJOURNMENT

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 9:05PM.

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
SPECIAL MEETING MINUTES
MARCH 2, 2021 – 6:00 P.M.**

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 MARCH 2, 2021 AT 6:00 P.M.

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

ADMINISTRATION PRESENT: Town Manager Randy Wingfield; Assistant Town Manager Andrew Warren; Executive Assistant/Clerk of Council Tracy Heinline; Finance Director Valerie Tweedie.

WORK SESSION

I. Call to Order

II. Discussion by Mayor and Council

A. Fiscal Year 2021-2022 budget:

1. Business License structure.

Finance Director Valerie Tweedie provided Council with a list of the ranges of business sales and their average business license fees from 2019. She explained this list would show where the Town was collecting the most revenue from business license fees and noted that roughly 230 businesses made up much of the Town's revenue.

Councilwoman Sachs expressed ongoing concern for the struggles of businesses during the pandemic and proposed a reduction or modification to how business license fees were currently collected. Mrs. Sachs explained she did not necessarily agree with the fees being added on to the total of sales and expressed to Council the need for a flat rate or a discount for 2021 businesses. She referenced the smaller businesses that were based out of their homes and suggested either a one-year grace of no fees or a 50% discount. Mrs. Tweedie informed Council that any change they proposed would need to reflect the 2021-2022 budget since fees are currently being collected for 2020.

Councilwoman Hicks expressed concern with how the Town would fill the gap from the loss of business license revenue if Council were to approve this proposal. Councilwoman Sachs suggested a one-time provision for non-taxed sales up to \$100,000 for all businesses this year and if the economy improved next year the tax could be added back.

Councilman Stipes expressed he felt this was a great proposal but noted he had not received any emails or complaints concerning the BPOL tax in the past year. Mr. Stipes also stated that he felt Covid had slowed down at this point and if the Town sought to help the smaller businesses this proposal should have been presented sooner. Councilwoman Hicks expressed that even though

Covid numbers were decreasing, businesses were still struggling. Councilwoman Sachs spoke about business owners paying taxes for both the Town and County as well as for purchasing equipment and felt if the Town could regulate business license fees, along with the CARES Act money, it could aid those business owners considerably.

Mayor Barber noted that every business in the town was required to have a valid business license and if the Town dropped the business license fee then any business could come in and do business without a license. Mrs. Sachs expressed that a business would still go through the paperwork of a business license, but she was proposing they would not have to pay a fee.

Councilman Stipes expressed concern that the non-chain businesses were trying to keep their heads above water and felt it unfair if the smaller businesses received a break from taxes. Mr. Stipes explained the Town was helping already with the Cares Act money. Councilman Huppert expressed the hopes of a boost to the economy this year from the proposed stimulus bill and mentioned that vaccinations were also being administered. He felt by July of this year things could look different for the economy and would prefer to keep the business license structure the way it was. Councilwoman Hicks proposed a business license fee of \$50 a year for all business owners. Mrs. Tweedie noted to Council that the average business license fees numbers were based on the gross sales from 2019 through March 2020 which was pre-Covid and the numbers could look different next year. Councilwoman Sachs mentioned this conversation could be more productive for the next budget cycle starting in the fall of this year. Mrs. Tweedie felt it a good plan for Council to revisit this in June and then make amendments if needed for the 2021-2022 budget. Town Manager Wingfield pointed out that with the federal stimulus there should be a portion coming to local government and that money potentially could be applied to grants for businesses.

2. Potential elimination of personal property tax and the motor vehicle license fee.

Councilwoman Sachs referenced information on the Freedom of Movement under United States law. Mrs. Sachs explained that Freedom of Movement is a fundamental right and therefore a state cannot inhibit people from traveling by taxing them. Mrs. Sachs proposed that the Town not tax for personal property and explained that if a citizen does not pay their personal property tax then the vehicle could possibly be levied or even taken away which would inhibit a person's right to travel. Referencing the information Mrs. Sachs provided, Councilman Stipes questioned if the Town was currently operating outside of federal law. Mrs. Sachs explained that states were allowed to have their own policies.

Councilman Huppert expressed concern for eliminating the personal property tax and increasing the real estate for citizens. Mr. Huppert explained that in the past, citizens have complained to Council about rising real estate taxes and expressed that 39% of citizens do not own their own real estate and would essentially get a "free ride" not having to pay. Councilwoman Sachs replied that she did not see this as a "free ride" since landlords would factor in taxes owed with the rent. Councilwoman Hicks felt that increasing the real estate tax would place a burden on landlords because renters are having difficulty already paying rent at this point, due to the pandemic. She expressed concern for the local businesses having to pay a higher real estate tax at this time.

Mayor Barber was opposed to burdening the landowners by increasing real estate taxes and eliminating personal property tax. He explained the Town uses the personal property tax and motor vehicle tax revenue for the general fund which in turn helps maintain the Town's roads, facilities, etc. Mrs. Tweedie explained that general funds pay for many of the programs in the

Town, and if Council were to eliminate the personal property tax that money would have to be replaced or programs and services would need to be cut.

Councilman Stipes explained the personal property tax was part of owning a vehicle and real estate tax is a compulsory tax. He explained a real estate tax increase would negatively affect a great number of citizens and especially citizens on fixed incomes. Mr. Stipes expressed he would not support an increase in real estate tax if it was proposed to address the tax revenue shortfall due to the elimination of the personal property tax.

Councilwoman Sachs suggested to Council they educate themselves on the issue and come back for further discussion. Town Manager Wingfield noted that in Virginia there were specific code sections that related to the authority to be able to tax but it's a Council decision on whether you choose to have it.

Councilman Bishop expressed that he opposed an increase in real estate tax and agreed that when a person purchases a vehicle, they usually consider the amount of taxes owed on that vehicle before they purchase. Mr. Bishop felt the real estate tax increase should be taken off the table for discussion and possibly look at other options.

Councilwoman Hicks expressed this had been a difficult year for everyone due to the pandemic and mentioned that increases in taxes effect families and their own personal budgets. Mrs. Hicks also mentioned that eliminating the personal property tax could upset the Town's general fund which in turn could make it difficult to pay for projects like the new park. Mayor Barber concluded that Council did not intend on raising the real estate tax.

Before Council continued to the next item, Mrs. Tweedie referenced a handout that was given to Council concerning meals and lodging tax penalties. Mrs. Tweedie explained the information given was the penalty interest provisions in the current Ordinances. She expressed the need for Council to consider changing to the same methodology for the meals and lodging tax. Mrs. Tweedie explained the meals tax penalty increases up to 25% of the taxes collected and the lodging tax has a penalty in the amount of 10%. She informed Council that businesses are required to pay meals or lodging each month and were considered late after 20 days from the due date.

Mayor Barber expressed that business owners were essentially acting as tax collectors for the town and when owners collect that meals or lodging tax, they should have a system that sets that money aside for payment to the Town. Mrs. Tweedie also mentioned there was a 3% discount if those meals and lodging taxes were paid early or on time. Councilwoman Hicks suggested cutting the penalty in half for both meals and lodging tax penalties. Mrs. Tweedie expressed that most businesses pay their taxes on time, but due to the pandemic this past year some businesses struggled. She referenced the provision that was passed by Council to waive the penalty on a late payment once during a 12-month period and explained there are payment plans available for businesses as well if needed. Councilwoman Hicks expressed it was very difficult to have a business during Covid, but also felt the 10% penalty was very high and questioned if Council could lower to 6% instead. Mrs. Tweedie expressed that 10% was the penalty for all late taxes in the Town.

Councilman Bishop expressed concern that businesses were delinquent in paying meals or lodging taxes. Mayor Barber agreed that it is money those owners have collected from their customers and should be paid on time. He also agreed the lodging and meals tax penalty provisions should

be similar in the Ordinances. Council decided that both meals and lodging should be consistent, and the Town would lean towards the meals tax penalty provision. Mrs. Tweedie would draft an ordinance and bring it back to Council.

3. Community support applications.

Mrs. Tweedie referenced a list of the non-profits that had requested support from the Town and explained she had proposed these amounts into the list for the budget. She also explained the applications had been reviewed and the organizations had met the criteria for submission although two were submitted late. She also included a list of community development organizations that the Town funds such as the NRV Regional Commission and Onward NRV. Mrs. Tweedie informed Council she had provided a packet that showed a narrative summary of the organizations requesting support in the community for 2021. The summary included a description of the organization, their request, and their use of funds requested.

Councilwoman Hicks referenced a list of non-profits that received CARES Act money from the Town in the fall of last year. Assistant Town Manager Andrew Warren noted that five grant programs were supported by the Cares Act money, which included the non-profit recovery grant program.

Mayor Barber expressed his disappointed that several applicants had been late submitting their applications and felt those businesses should be penalized at 1% for every day they were late. Councilman Stipes expressed that Council had not considered businesses in the past due to submitting their application late.

Councilwoman Hicks expressed her concern that Council needed to be cautious and provide limits for what is donated to organizations. Mrs. Hicks requested that Council be provided with a better description for what the organizations do for the community in the budget. Councilwoman Sachs explained that Council has had discussions in the past concerning limits of donations to organizations and expressed it would be a good idea to further those discussions.

Mr. Wingfield presented Council with a list of items for the upcoming budget work sessions and Council agreed to March 16th and March 18th work sessions.

III. Adjournment

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 8:02pm.

Tracy Heinline, Clerk of Council

D. Michael Barber, Mayor

TOWN OF CHRISTIANSBURG

Established November 10, 1792

Incorporated January 7, 1833



RESOLUTION RECOGNIZING MARCH 21, 2021 AS DOWN SYNDROME AWARENESS DAY

WHEREAS, approximately one in every 700 children are born with Down Syndrome, representing an estimated 6,000 births per year in the United States; and,

WHEREAS, while research and early intervention have resulted in dramatic improvements in the life span and potential of those who are affected, more investigation is needed into the causes and treatment of Down Syndrome; and,

WHEREAS, people with Down Syndrome are active participants in educational, occupational, social, and recreational circles of our communities and possess a wide range of abilities; and,

WHEREAS, individuals with Down Syndrome should have equal opportunity to achieve the universally desired goals of self-fulfillment, pride in their achievements, inclusion in their community, and reaching their fullest potential; and,

WHEREAS, The Down Syndrome Association of the New River Valley Inc. and other agencies in our area have worked for many years to educate and support parents and individuals with Down Syndrome; and,

WHEREAS, Christiansburg Town Council encourages residents to support the Down Syndrome Association of the New River Valley Inc. and all other agencies that support and work with these citizens, families, schools, healthcare professionals, and governments to help create opportunities, raise awareness and facilitate solutions for these valued members of our community.

NOW, THEREFORE, BE IT RESOLVED that Christiansburg Town Council, meeting in regular session on March 9, 2021, declares March 21, 2021 as Down Syndrome Awareness Day in Christiansburg, Virginia, and does call upon our citizens to work together to promote respect and inclusion of individuals with Down Syndrome and to celebrate their accomplishments and contributions to the community. Upon a call for an aye or nay vote on the foregoing resolution at a regular meeting of the Council of the Town of Christiansburg, Virginia held March 9, 2021, members of Council stood opposite their names as indicated:

AYE

NAY

ABSTAIN

ABSENT

Samuel M. Bishop

Johana Hicks

Steve Huppert

Merissa Sachs

Henry D. Showalter

Bradford J. Stipes

D. Michael Barber, Mayor*

*Votes only in the event of a tie.

Tracy Heinline, Clerk of Council

D. Michael Barber, Mayor

**ORDINANCE AMENDING
CHAPTER 18, ARTICLE VII, SECTION 18-204, OF THE TOWN CODE
IN REGARD TO PENALTY AND INTEREST FOR NON-REMITTANCE OF
TRANSIENT LODGING TAX AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, pursuant to Virginia Code § 58.1-3840, Virginia Code § 15.2-1104, and Section 3.14 of its Charter, the Town of Christiansburg, Virginia (the "Town") is empowered to impose an excise tax on transient lodging;

WHEREAS, the Town has previously adopted a tax on transient lodging, which is set out, as amended, in Chapter 18, Article VII of the Code of the Town of Christiansburg, Virginia (the "Town Code");

WHEREAS, Virginia Code § 58.1-3916 and Section 3.15 of its Charter authorize the Town to establish penalties and interest on delinquent taxes owed to the Town, and the Town previously established penalties and interest for meals taxes in Section 18-233 of the Town Code;

WHEREAS, the Council of the Town of Christiansburg, Virginia desires to amend the Town Code to impose penalty and interest charges for transient lodging consistent with the penalties and interest imposed for meals taxes;

NOW THEREFORE, BE IT HEREBY ORDAINED by the Council of the Town of Christiansburg that Chapter 18, Article VII, Section 18-204, of the Town Code is amended and reenacted as follows:

Sec. 18-204. - Penalty and interest for nonremittance.

- (a) If any person whose duty it is to do so shall fail or refuse to make the report required by this article within the time required, there shall be added to the tax by the treasurer a penalty in the amount of ten percent of the tax, or \$10.00, whichever is greater; provided, however, that the penalty shall, in no case, exceed the amount of the tax assessable.
- (b) In the case of delinquent remittance of taxes on lodging a penalty shall be imposed of ten percent for the first month the taxes are past due, and five percent for each month thereafter, up to a maximum of 25 percent of the taxes collected but not remitted; or \$10.00, whichever is greater, provided, however, that the penalty shall, in no case, exceed the amount of the tax assessable.
- (c) The assessment of such penalty shall not be deemed a defense to any criminal prosecution for failing to make the report required by this article. Penalty for failure to file the report may be assessed on the day after such report is due; penalty for failure to pay any tax may be assessed on the day after the first installment is due. Any such penalty, when so assessed, shall become a part of the tax.
- (d) Interest shall also be imposed upon the delinquent tax and penalty at a rate of ten percent per annum and computed from the date such were due and payable.

(e) Any failure to timely file and pay the transient lodging tax when due shall constitute a Class 1 misdemeanor.

(f) Upon written request, the treasurer may reduce the rate of penalty and interest to zero percent for customers who (a) do not have any past due accounts or bills with the town, and (b) have gone 12 consecutive months with no delinquent payments to the town, provided such reduction shall continue for no more than one month.

This ordinance shall take effect on July 1, 2021. If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid. Ordinances or parts of any ordinances of the Town whose provisions are in conflict herewith are hereby repealed.

Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held March 9, 2021, the members of the Council of the Town of Christiansburg, Virginia, present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

<u>Absent</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Mayor D. Michael Barber*			
Samuel M. Bishop			
Johana Hicks			
Steve Huppert			
Merissa Sachs			
Henry D. Showalter			
Bradford J. Stipes			

*Votes only in the event of a tie vote by Council.

SEAL:

Tracy Heinline, Town Clerk

D. Michael Barber, Mayor



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:
DISCUSSION/ACTION

Meeting Date:
March 9, 2021

ITEM TITLE:

Schedule Public Hearing for February 23, 2021 to: (a) vacate the right of way; and (b) authorize the conveyance from the Town to the Montgomery County School Board for the Christiansburg High School “bus loop” at 100 Independence Boulevard N.W. (Tax Parcel No. 466-2-11A) (~.954 acres).

DESCRIPTION:

In preparation for the future redevelopment of the Christiansburg High School, Gay and Neel, Inc. on behalf of the Montgomery County Public Schools is requesting that the bus loop parcel be vacated by Town Council and that Council authorizes the conveyance of the approximately .954 acre parcel—as noted on the County tax records—from the Town to the Montgomery County School Board.

On October 19, 1977, the Montgomery County School Board conveyed the .954 acre bus loop parcel to the Town with “special covenants of title for street purposes.” The intent of the Town owning the property was to maintain the bus loop as the Town would a public street. While the final redesign is not completely known at this time, the land will be needed to accommodate future additions and/or new site layouts.

The Montgomery County Public Schools will also be moving forward with a rezoning of the property from I-2, General Industrial to B-3, General Business in order to assist with the redevelopment. This request will not start to be processed until the conclusion of this vacation/conveyance request. Council is scheduled to take action on this item on March 9, 2021.

POTENTIAL ACTION:

Take action on requests.

DEPARTMENT(S):

Town Manager’s Office

PRESENTER:

Andrew Warren, Assistant Town Manager

Information Provided:

Draft Ordinance

<https://christiansburg.box.com/s/51m0447oywzazpuaq8rpczavm031igrw>

Draft Deed of Conveyance and Vacation of Public Right of Way

<https://christiansburg.box.com/s/qj09b1ncmv3zbp8atv99bjlvaaa4xezi>

Montgomery County Public School’s Vacation Request

<https://christiansburg.box.com/s/mn59v85cmoegmfqk5t6ez914d3flomnx>

Right of Way Vacation Exhibit by Gay and Neel

<https://christiansburg.box.com/s/5ot0hkuo4gesn6x9o7pnnikywfaxkny8>

CHS Bus Loop Exhibit

<https://christiansburg.box.com/s/pppfyycj4jitrp7ie5xyrl3gbm5rstnu>



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:
DISCUSSION/ACTION

Meeting Date:
March 9, 2021

ITEM TITLE:

Public Hearing for a Rezoning request by Gay and Neel, Inc., (applicant) for an approximately 1.38 acre property owned by Depot Street Development, LLC located at the intersection of Depot Street, N.E. and Harless Street, N.E. (tax map nos. 497-A-288, 497-A-288A, 497-A-288C, 497-A-285, 497-A-286, 497-13-3, 497-13-1E from the B-3, General Business District to the R-3, Multi-Family Residential District with proffers. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan. (RZN 2021-01).

DESCRIPTION:

The applicant requests to rezone the subject parcels from B-3, General Business District to R-3, Multi-Family Residential District with one proffer limiting the number of uses permitted. Detailed in the applicant's attached proffer statement, the following uses--otherwise permitted in the R-3 District--would not be allowed on the subject property:

- Owner-occupied boardinghouses
- Short term boarding as an accessory use (i.e. bed and breakfast)
- Public fire, police, and rescue squad stations, schools, recreational facilities, and libraries.
- Private schools, recreational facilities, and libraries.
- Clubs and lodges.

At its February 1, 2021 meeting, the Planning Commission recommended approval by a vote of 6-0. Please note the Planning Commission staff report has been updated to include an exhibit showing zoning and uses in the surrounding area which was provided by the applicant to the Planning Commission. The updated report also includes a map showing the future land use designation of the subject property.

POTENTIAL ACTION:

Take action on petition

DEPARTMENT(S):
Planning Department

PRESENTER:
Andrew Warren, Assistant Town Manager

Information Provided:

Planning Commission Resolution

<https://christiansburg.box.com/s/dt2ba0x3twnewdx2zu2hpa7pmm143jlb>

Draft Planning Commission Minutes – February 1, 2021

<https://christiansburg.box.com/s/xozew4awwouijju9h6z46pz0103i39n>

Staff Report with Rezoning application and maps

<https://christiansburg.box.com/s/v05eqrhqswinsfbyrffce05juwrmtl>

Draft Rezoning Ordinance

<https://christiansburg.box.com/s/e895251cyqds2gdiy258le1vohh64en8>



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:
DISCUSSION/ACTION

Meeting Date:
March 9, 2021

ITEM TITLE:

Public Hearing for two Conditional Use Permit requests by Balzer & Associates, Inc., on behalf of SHAH Development, (applicant/owner) for residential uses as permitted in the R-3, Multi-Family Residential District and a Planned Housing Development to consist of single-family, two-family, and multiple-family dwellings at a density of development not to exceed 10 units per acre for an approximately 3.2 acre property located at 1145 West Main Street (tax map no. 556-A-39) in the B-3, General Business District (CUP 2021-01).

DESCRIPTION:

The applicant has requested two Conditional Use Permits to provide flexibility to meet future market demands. The **first request** is to allow residential uses in the R-3, Multi-Family Residential District. The application does not feature a proposed layout or mix of uses but any residential use of the property would have to conform to the development requirements of the R-3, Multi-Family Residential District. The **second request** proposes a Planned Housing Development (PHD) based on the conceptual layout plan showing a mix of residential uses including single-family dwellings, two-family dwellings, and townhome-style multi-family dwellings at a density not to exceed 10 units per acre. Please see the attached staff report for additional details on the proposed PHD.

At its February 1, 2021 meeting, the Planning Commission recommended approval of the request by a vote 6-0 with the following condition:

The Planned Housing Development shall be developed in general conformance with the submitted exhibit CUP2 entitled "Shah-West Main Street PHD Concept Plan Option" dated 1/05/2021 and the Conditional Use Permit narrative dated 1/05/2021, except that density of development shall be permitted at a rate of up to 10 units per acre.

Please note the concept plan and narrative presented for the proposed PHD were updated to reflect Planning Commission's recommendation to allow density of development of up to 10 units per acre (originally 8 units per acre). At Council's discretion, any motion to approve the conditional use permit should reference the revision presented as "Shah-West Main Street PHD Concept Plan Option" and the "Conditional Use Permit Narrative" dated February 9, 2021.

POTENTIAL ACTION:

Take action on petitions

DEPARTMENT(S):

Planning Department

PRESENTER:

Andrew Warren, Assistant Town Manager

Information Provided:

- Planning Commission Resolutions
<https://christiansburg.box.com/s/z7zxxsojdag9k10lrcbfun2m3f4y4j3c>
<https://christiansburg.box.com/s/u3yovnyasaal950yhgksbuz3g56i3i2l>
- Draft Planning Commission Minutes – February 1, 2021
<https://christiansburg.box.com/s/4aexm8y10u0773gvxif96dj8tkl2nb4g>
- Staff Report with Rezoning/CUP applications and maps
<https://christiansburg.box.com/s/029q4z8enptqpfpuuhr7q8y1xt0r5t8>



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:
DISCUSSION/ACTION

Meeting Date:
March 9, 2021

ITEM TITLE:
Updates to the employee handbook.

DESCRIPTION:
There are proposed updates to existing policies and new policies added due to changes in state law and for clarification to assist general operations. There are proposed movements of some sections to different areas for better alignment.

POTENTIAL ACTION:
Make revisions to or add the following policies to the handbook: Equal Employment Opportunity, Non-Discrimination, Reasonable Accommodation for Employees & Applicants with Disabilities, Pregnancy, Childbirth & Related Medical Conditions, Prohibited Harassment, Recruitment, Background Investigations & Criminal Convictions, Duty to Disclose & Update, Outside Employment, Personnel Data Changes, Appearance, Employee Driving Records, Town Technology, Resignation Courtesies, Payroll Direct Deposit, Hours Worked, Lunch Periods & Breaks, Inclement Weather, Travel Time, Compensatory Time, Part-Time, Temporary & Seasonal Employment Appointments, Virginia Retirement System Plans, Annual Leave, Sick Leave, Paid Time Off, Bereavement Leave, Family Medical Leave Act, Short-Term Disability Leave, Jury Leave, Military Leave, Official Duty Leave, Leave Without Pay/Excused Leave of Absence, Holidays, Christiansburg Aquatic Center & Recreation Center Memberships, Medical Insurance, Short-Term & Long-Term Disability Coverage, Supplemental Insurance, Employee Assistance Program, Tuition & Training Reimbursement, Service Award Program, Town Computer Decommissioning, Corrective Action, Drug & Alcohol Free Workplace, Safe Operation of Cell Phones, Grievance Policy & Procedure, and Grievability.

DEPARTMENT(S):
Administration

PRESENTER:
Randy Wingfield, Town Manager

Information Provided:
2021 Employee Handbook – DRAFT
<https://christiansburg.box.com/s/sqyjgnmn7umtolsahcl6ryo48hdad5al>

Handbook summary table
<https://christiansburg.box.com/s/2bmsbv13ua72e3lp6xiyqath0yws0g9o>



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Discussion by Mayor and Council

Meeting Date:

3-9-2021

ITEM TITLE:

Resolution to approve refinancing of Carter 4.770 loan

DESCRIPTION:

This is the resolution and form of bond to approve the refinancing for a reduced interest rate of a loan from Carter Bank in 2014. The original loan was for \$4.770 million and carried an interest rate of 2.65%. The new loan will be for the principal balance remaining of \$3,086,000 at 1.38% interest rate for the remaining term of the original bond of 8 years. The attached documents are the resolution and copy of the bond agreement. The resolution contains a summary of the bond document.

POTENTIAL ACTION:

Approval of resolution

DEPARTMENT:

Finance

PRESENTER:

Valerie Tweedie

ITEM HISTORY:

The loan was originally made to cover a variety of projects for both the general fund and enterprise funds. Below is a summary of the projects the original loan covered:

Renovations 3rd floor police dept
Renovations treasurer's office
New synthetic floor for recreation center
Independence culvert replacement
Brown, Church, and Lucas Storm drain improvements
Replacement of water meters all over town to allow radio read and monthly billing
Lubna pump station improvements
Upgrade water system phase 6 Depot St
Generator for WWTP

Information Provided:

Resolution and Form of Bond v4

<https://christiansburg.box.com/s/hurpgvvdpcj1abapwtm060b0jsweyqvl>

Christiansburg-Bond Purchase Agreement v5

<https://christiansburg.box.com/s/0cigmm4004ps31tpaz6djptd6urjirql>