

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
JUNE 8, 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 JUNE 8, 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; Executive Assistant/Clerk of Council Tracy Heinline; Finance Director Valerie Tweedie; Director of Engineering Wayne Nelson; 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 made a motion to adjust the agenda under Discussion and Action by Council, referencing item C to allow witnesses to address Council concerning the Resolution of Reprimand. Councilman Bishop seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

III. PUBLIC HEARINGS

- A. Conditional Use Permit request by John D. Elmore for a contractor storage yard in the General Business (B-3) zoning district at 710 Peppers Ferry Road, N.W. (Tax Parcel 435 – ((A)) – 23)). The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

The public hearing was opened. With no speakers on the item, the public hearing was closed.

- B. Conditional Use Permit request by Aztec Rental (applicant) on behalf of New River Community College for a contractor storage yard in the General Business (B-3) zoning district at 412 Roanoke Street, (Tax Parcels 527 – ((A)) – 200 and 527 – ((A)) – 202). The property is designated as Business/Commercial on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Nancy Beech, owner of 105 Hagan Street, addressed Council concerning the request by Aztec Rental, explaining she had been out of town previously when the Planning Commission met and wanted to express her opinion on the matter. She stated that although most homeowners normally did not look forward to businesses coming into their neighborhood, she felt Aztec Rental would be a good neighboring business. Ms. Beech asked that Council take a few things into consideration when looking at the Conditional Use permit. She explained that Mr. Brown had talked about reconfiguring the location of their large equipment, exiting on Roanoke Street instead of Hagan Street and expressed she hoped that would be included in the CUP. Ms. Beech expressed hope for the buffer Mr. Brown had spoken about that would include landscaping around the privacy fence on the property. Ms. Beech also expressed her hopes of the extra property being rezoned residential and felt placing businesses in a neighborhood could possibly reduce land value.

Bill Brown, Aztec Rental, explained to Council that Aztec wanted to have the least amount of disturbance to the neighborhood as possible. Mr. Brown talked about moving equipment storage to the parking lot on the bottom left of the property and setting the equipment back far enough so that fencing and landscaping would conceal it, and explained that customers could have access through the gravel parking lot and exit only on Roanoke Street. Mr. Brown explained that he did not foresee using the extra 175 feet purchased property in the back, and at some point, in the future, would more than likely sell for residential use.

IV. CONSENT AGENDA

- A. Approval of Minutes of May 25, 2021.
- B. Schedule a public hearing for July 27, 2021 for Conditional Use Permit request by James Tannahill (applicant) on behalf of Sawyers Living Trust (owner) for a towing service in the General Industrial (I-2) at 2500 Brammer Lane (Tax Parcel 501 – ((1)) – 13J). The property is designated as Industrial on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.
- C. Authorization for final renewal of Landfill Professional Services contract with SCS Engineers in the amount of \$120,000.
- D. Resolution Recognizing June 23, 2021 as Give Local NRV Giving Day.

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

V. INTRODUCTIONS AND PRESENTATIONS

VI. CITIZEN COMMENTS

Justin Sanders, President of Downtown Christiansburg Inc., 100 West Main Street, addressed Council and explained he felt blessed to serve with DCI and stated the importance of service and

volunteerism in the community. Mr. Sanders expressed that service and volunteerism were not just staff or elected officials but the citizens and volunteers in Christiansburg and those volunteers are what kept the Town moving forward. Mr. Sanders stated that the desire to serve the community had led to over 800 hours of community service to the Downtown Pocket Park, support of downtown businesses during Covid, and writing Covid relief grants for businesses. He explained that during this time of volunteerism there had been baseless attacks on DCI's character and integrity as well as multiple boards in the community and expressed that it was imperative that town officials help lift-up the community and provide support to volunteers.

Christine Waltz, 1370 Rigby Street, expressed to Council that she had witnessed the accusations from other Council members towards Councilwoman Hicks and felt there was a communication problem between them and urged Council to be clearer in their communication. She stated that Councilwoman Hick's opinion is ultimately the citizen's opinions that voted for her.

Alecia Vaught, 2594 Den Hill Road, expressed that she had witnessed baseless efforts of attacks on Councilwoman Hicks while in office. She expressed that Mrs. Hicks was misrepresented concerning the new park and the conversation with Delegate Nick Rush. Ms. Vaught explained she had accompanied Mrs. Hicks to Richmond and overheard the conversation with Delegate Rush. Ms. Vaught expressed she would like this dropped and urged Council to get back to the work of the people.

Angela Akers, 345 Howery Street, explained her interest in Town Council now that Councilwoman Hicks was a Town Council member. She expressed she had watched the attacks and name calling and asked if this sort of thing happened in the past. Mrs. Akers stated that she was thankful that Councilwoman Hicks asked questions during meetings and explained she was proud that she herself was involved in local politics.

William Griffith, 715 Church Street, spoke on behalf of Councilwoman Hicks and expressed that it was a disgrace to Council and the Town of Christiansburg the way she was being treated. Mr. Griffith expressed that the citizens of Christiansburg were against a Town Council that "beat down" on each other and felt the Council's current processes were not productive.

Roger Venteicher, Vernon Street, expressed to Council that he had only recently met Councilwoman Hicks but believed she was a fighter for the Town of Christiansburg. Mr. Venteicher asked Council to think about the effects of the reprimand decision and communicated that it was poor timing since she just announced running for Town Mayor.

Mayor Barber clarified that the Resolution of Reprimand came to his attention in February 2021 and he did not bring it forward due to the fact that he felt it should come from a Town Council member instead.

Charles Dustin Robins, 1720 Old Farm Village Road, stated that it was great Councilwoman Hicks had people now involved in government and supporting her but felt it was disheartening that the people that supported her were her campaign workers and some were not citizens. Mr. Robins expressed that he felt Mrs. Hicks interrupts other Council members and citizens at Council meetings and made Council meetings longer than they needed to be. Mr. Robins also expressed that Councilwoman Hicks should not have announced her plans for running for Mayor on government property.

VII. COMMITTEE REPORTS

A. Stipes and Bishop – Street Committee Report/Recommendation

1. Subdivision Plat of Vinnie Avenue Patio Homes on Tax Parcel 435 – ((A)) – 45 to create 17 lots and a stormwater management lot, as well as the dedication of right-of-way for Vinnie Avenue, public utility and drainage easements, and temporary construction easements.

Councilman Stipes explained that the development plat was conforming with the planned development Council approved approximately six months ago and this subdivision was the final act to adopt the said plat.

Councilman Stipes made a motion to approve the recommendation of the Planning Commission to create 17 lots and a stormwater management lot, as well as the dedication of right-of-way for Vinnie Avenue. Councilwoman Sachs seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

A. Fiscal Year 2021 – 22 Budget discussion.

Mayor Barber mentioned that the Town had received a letter recognizing the Finance Department with the Certificate of Achievement for Excellence in Financial Reporting. Finance Director Valerie Tweedie expressed this was Finance's 10th year being recognized with this award.

Mrs. Tweedie updated Council on the items in the proposed budget including capital projects and what was estimated to expend in FY 2021. She explained the Town had received another grant for the Police Department body cameras along with match funds. Mrs. Tweedie added that \$65,000 had been included for the Town's share of repairing a 911 tower on Price Mountain. She concluded that several other capital items would not be completed by year end, and rolled over to next year, such as the restroom remodel at the Recreation Center and roofs on the salt dome and material sheds at the Public Works facility. Councilwoman Hicks questioned if the Christiansburg Institute had been added to the Community Support items in the budget. Mrs. Tweedie asked Council how they would like to proceed with CI and if there were any other additions to the Community Support list. Councilwoman Hicks expressed she would like another budget session. Councilwoman Sachs answered she was happy with the proposed budget and did not feel there was a need for another work session. Councilman Stipes agreed. Councilman Showalter stated he was ready to move forward with the budget. Councilwoman Hicks expressed that she would like to know where the American Recovery funds would be allocated. Mrs. Tweedie explained that would be another discussion Council would need to have. Mayor Barber expressed that the decision may not be finalized until the budget is passed and if that was the case, the

money could be placed in reserves. Councilwoman Hicks questioned if the American Recovery money could be used for new infrastructure for water, sewer, and storm water projects. Mrs. Tweedie explained the American Recovery money could be included in some high priority capital projects and had been included in this year's budget as revenue. She also explained there were other projects in waiting that the Town may not have exact dollars for at this time, but those numbers would be finalized soon. Following up on a question from Councilman Huppert, Town Manager Wingfield referenced an article that explained President Biden announced there will be \$2.8 billion available for parks projects nationally and the Town could potentially benefit from that. Mayor Barber expressed he would like to see Christiansburg Institute be included in the budget under community support. Councilman Stipes agreed with the Mayor and expressed that he felt CI had made meaningful progress. Councilman Bishop expressed concern that Council had accepted late applications from several non-profits for grants. He explained that he felt if an application for a grant was late it should not be considered. Councilman Huppert stated that the other two non-profits were only a couple days late, but that CI was over sixty days late and felt that could have been avoided. Councilwoman Hicks felt that when the Town sends notices to organizations concerning grants it could potentially open-up to issues in the future. She expressed that there is a numerous amount of non-profit organizations in the community and stated some organizations could accidentally be left out of being notified. She stated it was the organization's job to remember the deadline. Councilman Showalter expressed he would support the late submissions this year. Councilman Huppert expressed his support as well. Councilwoman Sachs stated that although she supported accepting the late submission from Christiansburg Institute, she felt that in the future the organizations should understand there is a deadline. Mayor Barber stated the Council straw vote was 5-1 in favor of accepting CI's application for support. Mrs. Tweedie stated she would add Christiansburg Institute to the budget draft.

B. Agreement with Axon for Police Body Cameras.

Town Manager Wingfield reported that the final agreement with Axon was placed at each Council member's seat. Councilwoman Hicks inquired if the Police Department would be able to resell the older car cameras at some point. Chief of Police Mark Sisson explained that the current in-car cameras were not functioning properly and would not be able to resell them. Chief Sisson explained that the delivery of the body cameras should be in July/August and installed in all vehicles by the fall.

Councilman Stipes made a motion to approve the agreement with Axon for Police Body Cameras. Councilwoman Hicks seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

C. Resolution of Reprimand regarding Councilwoman Hicks (Huppert and Sachs).

Councilwoman Hicks spoke about the first charge on the Resolution of Reprimand and explained that even though Delegate Rush did not recall the conversation on February 6, 2020 concerning project fund issues, did not mean it did not take place. Mrs. Hicks asked witness Alecia Vaught to speak concerning the conversation. Ms. Vaught explained she was with Mrs. Hicks while speaking with Mr. Rush and the conversation had taken place. Mrs.

Hicks touched on the second charge and explained that she had turned in the correct COIA forms in 2020 when asked to do so. She stated the form was complicated when having to add all her properties and had requested help but couldn't find help easily. Councilwoman Hicks also referred to a statement from Ms. Pettitt's office that explained the documents she had turned in did not look like a violation. Mrs. Hicks asked Mrs. Christine Waltz to address Council as a witness. Mrs. Waltz explained she had been in contact with a Rise Miller (Program Specialist at the State Board of Elections) and she stated that the error regarding closing an account early by Mrs. Hicks was done at her direction. Mrs. Hicks defended the malfeasance charge against her and explained she had sent an email to Council on March 3, 2020 and stated that it was her job as a Council member to make sure Town money was used appropriately. In the said email it was expressed that Justin Sanders had just resigned from Pulaski County and Mrs. Hicks stated she was concerned. She explained that she never stated Mr. Sanders had taken money and did not include him in the email.

Justin Sanders addressed Council that at the time he had started receiving emails from Council members concerning the accusation, he responded in depth to Council. He explained he had accepted Councilwoman Hicks' apology at the time but expressed that the accusation had dramatically impacted his personal and professional life. Mrs. Hicks talked about item number four on the Resolution of Reprimand and stated that in the email to Finance Director Valerie Tweedie on November 9, 2020 she asked Mrs. Tweedie if water and sewer rates would increase because of the Truman Wilson Park proposal. She explained that Mrs. Tweedie emailed that she could not answer that. Mrs. Hicks also referenced the lengthy conversation on Facebook and stated she had inquired how the Town would pay for the new park because she was concerned about building a new facility during a pandemic. Mrs. Hicks expressed that a screenshot was taken from Facebook and sent out to all Council members and that it was only a cut-out of a small conversation but not the whole conversation. Councilwoman Hicks stated she did not currently have the Facebook conversation and inquired how she could be accused of something that could not now be shown in whole. Mr. Yoshi Koeda, owner of Kabuki Steakhouse Restaurant addressed Council and explained the Facebook posts were pertaining to raising meals tax and not asking Mrs. Tweedie how she should vote regarding the park. Councilman Showalter explained that Council could reference the Council Minutes of December 2020 where Councilwoman Hicks apologized for the conversation. Councilwoman Hicks argued that she did not agree that she spoke to Mrs. Tweedie about how to vote but that she had apologized anyway. Mr. Stacy Martin, 1480 Turnberry Lane, Riner, Virginia, explained he had posted on the Facebook conversation as well and he knew Mrs. Hicks was speaking about meals tax, not how to vote on the new park. Mrs. Hicks expressed that item number five on the Resolution now showed Building Permit Violations where previously it read ETC and stated that Council could not charge her with that violation when she was not prepared to defend herself. Councilman Stipes explained he had asked item number five be added to the Resolution and it concerned 105 White Pine Drive. Councilwoman Sachs explained the charge that concerned her the most was an email that was sent by Councilwoman Hicks to a reporter at the Roanoke Times concerning Virginia Governor Northam's visit to Christiansburg for an announcement. She explained it had been asked of Council, by the Governor's office to keep the visit quiet because it had not been announced yet to the public. Mrs. Sachs explained that this was a violation of public trust. Councilman Stipes explained he had been on Council for fifteen years and felt this past year had "been like a

train wreck". He stated that Mrs. Hicks had claimed to be victimized and he felt she was a victim of her own circumstances. Councilman Bishop explained he saw several loopholes in the Resolution of Reprimand and felt it was old information that had been discussed previously. He explained he was not on any one person's side but everyone's side and wanted to make the right decisions. Councilwoman Hicks questioned why there was not a Code of Ethics charge against Councilwoman Sachs for posting previously about the vote for the new park. Mrs. Hicks referenced a comment made by Mrs. Sachs on Facebook stating voting on the new park would happen at a later date. Councilwoman Sachs explained that she had posted that on Facebook after a Town Council meeting and unfortunately it changed shortly thereafter.

Councilman Huppert made a motion to approve the Resolution of Reprimand regarding Councilwoman Hicks. Councilwoman Sachs seconded the motion and Council voted as follows: Bishop – Nay; Hicks – Nay; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Mayor Barber stated that the Resolution of Reprimand would be placed in Councilwoman Hicks personnel file.

IX. STAFF REPORTS

A. Town Manager

Town Manager Wingfield expressed that Engineering Director Wayne Nelson would be retiring at the end of June. He explained Mr. Nelson had been with the Town for 25 years and presented him with a street sign "Wayne Nelson Way". Mayor Barber presented Mr. Nelson with a personalized clock and expressed it had been an honor to work with him.

B. Town Attorney

No report.

C. Other Staff

No report.

X. COUNCIL REPORTS

Councilman Huppert reported there had been an Aquatic Center meeting and stated that swim lessons and after hour parties would resume soon. He expressed that the need was still high for Lifeguards at this time. Mr. Huppert reported that the Recreation Center's hours were now the same as they were pre-Covid. He also stated that Athletic Program Supervisor Charles Muncy would be retiring on June 16th and the Recreation Center would be having a special event for his service to the Town. Mr. Huppert concluded that the Farmers Market has had about 1,800 people visit over its first few weeks.

Councilman Bishop
No report.

Councilwoman Sachs reported that the Public Arts Advisory Board met recently and would be selecting projects very soon. She explained that the board would welcome public input as to where the art should be placed.

Councilwoman Hicks
No report.

Mayor Barber reported that there would be upcoming announcements about the project on the square in Christiansburg. Town Manager Wingfield noted that it was proposed that the Museum and Christiansburg Institute would cover the cost of the display boards and the Town would cover the costs of sidewalks and benches for this project. Councilwoman Hicks questioned if a Public Hearing concerning this project could be held so public would be aware of what was going on. Mayor Barber explained the Central Business Committee had looked at this and a meeting would have to come to Council, and they could discuss it then. Councilman Bishop expressed he would like a presentation by Montgomery Museum of Art and History and Christiansburg Institute on the said project to the fall Council. Mr. Wingfield explained that once things were worked out with the Museum and CI, then the idea would be brought back to Town Council.

XI. OTHER BUSINESS

XII. ADJOURNMENT

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 8:43 pm.

Tracy Heinline, Clerk of Council

D. Michael Barber, Mayor