

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
SEPTEMBER 28, 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 SEPTEMBER 28, 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.

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; Aquatics Director Terry Caldwell; Police Chief Mark Sisson; Fire Chief Billy Hanks.

REGULAR MEETING

I. CALL TO ORDER

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

II. ADJUSTMENT OF THE AGENDA

Councilwoman Hicks requested the monthly bill list be separated from the Consent Agenda and voted on separately.

III. PUBLIC HEARINGS

- A. Major Home Occupation Conditional Use Permit for a single-chair salon in the A Agricultural zoning district at 725 Stafford Drive on Tax Parcel 405 – ((A)) – 8. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Amanda Musick, resident of 725 Stafford Drive, explained to Council that she had been in her profession for over twenty years and expressed that working from home was ideal, since the pandemic, and this gave her time to be with her family. Ms. Musick explained there would be a separate entrance and exit at the property for her clients and approximately 200 feet of parking in the existing driveway would be provided.

Assistant Town Manager Andrew Warren noted that the Planning Commission had voted 7-0 in favor of the conditional use permit and that the conditions were typical for similar conditional use proposals.

- B. Rezoning from R-3, Multi-Family Residential and B-3, General Business to B-3, General Business by the Montgomery Museum & Lewis Miller Regional Art Center (Montgomery Museum of Art and History) at 300 Pepper Street SE on Tax Parcel 527 – ((A)) -235. The property is designated as Parks/Open Space Map of the 2013 Christiansburg Comprehensive Plan.

Casey Jenkins, Museum Director, explained to Council that the Museum would like to lease the referenced space for the year 2022. He expressed that on-street parking would be available to customers and noted that additional parking could be required at some point in the future. Mr. Jenkins also noted that the garden would remain open to the public.

IV. CONSENT AGENDA

- A. Approval of Minutes of September 14, 2021.
- B. Monthly Bill List.

Councilwoman Hicks expressed concern for the last bill cycle and questioned why the Town had bills charged to the special revenue fund. Finance Director Valerie Tweedie explained that the bills on the monthly bill list referred to as the 10th of the month bills waits for Town Council approval. Then the special revenue funds which consists of county fire department, rescue, ems, third party bill pay, some grant programs, etc. These are listed separately since there are separate funds for these accounts separate from the General Fund. The last section of the monthly bills are the bills that get paid to assure they're paid on time. An example would be the electric bill or a phone bill that is required to be paid by a certain date. Mrs. Hicks inquired if these special revenue fund bills could be put with the normal bills instead of a special revenue fund bill. Mrs. Tweedie responded that the funds come out of separate banking accounts and it would be hard to separate. She said that she adds them to the end of the general fund list, but she would still have to track the bills separately. Since they are separate accounts they should not be mingled with the General Fund. Town Manager Wingfield stated that the funds may be charged to an individual special revenue fund and they are maintained as a separate pool of money. He further explained that the funds belonged in a separate account and could not be placed in with the General Fund.

- C. Approval of purchase of two Freightliner Cabs and Chassis.
- D. Award Contract to Boring Contractors, Inc. in the amount of \$1,146,570.40 for Construction of the Roanoke Street/Tower Road Intersection Improvements project.
- E. Award Contract to Boxley Materials Company in the amount of \$1,055,216.30 for Construction of the FY 22 Annual Paving project.
- F. Agreement between the Town of Christiansburg and New River Community Action, Inc. for COVID-19 Response Homeless Intervention Services (U.S. HUD Community Development Block Grant 2019 Program Year)

Councilman Showalter made a motion to approve items A, C, D, E, and F of the Consent Agenda as presented. The motion was seconded by Councilwoman Sachs. During discussion, Mr. Stipes asked about the funding for the Tower Road signal project, and if it came close to the engineer's estimate. Mr. Kelley responded that it did. Mayor Barber asked if this is funded through state funding? Mr. Kelley responded that it was Revenue Sharing 50/50 funding with the local match. Ms. Sachs mentioned that former Councilman Collins first made her aware of this project and was glad he was here to see it approved.

Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Councilman Bishop made a motion to approve item B of the Consent Agenda as presented. The motion was seconded by Councilman Huppert. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

V. INTRODUCTIONS AND PRESENTATIONS

- A. Presentation of proclamations recognizing years of service for Gratton Thompson, Billy Linkous, Billy Hanks, William Link Sheppard, Nathan Brewbaker, Kevin Meredith, and Danny Wilson of the Christiansburg Fire Department.

Mayor Barber presented the proclamations to each fire member and thanked them for their service. All members were present except Mr. Sheppard who was called out on work duty and was not able to be present.

VI. CITIZEN COMMENTS

Harry Collins, 450 Tower Road, Christiansburg, addressed Council as a resident and referred to the Code of Virginia concerning regulated political campaign signs. He noted that the Code of Virginia states that political signs may be placed on private property if the signs follow zoning, right-of-way restrictions, and if there is permission from the owner. He expressed that he had received numerous calls from residents with complaints concerning Mrs. Hicks placing her political signs on their property without permission. Mr. Collins recommended that political candidates fill out a form with the business owner's signature giving them permission to place their signs on the owner's property. Mr. Collins also spoke about an interview Councilwoman Hicks took part in on a podcast by Mr. Scott Bunn. He explained that Mrs. Hicks noted that Christiansburg's meal tax was very high and stated it was currently 12.8%. Mr. Collins explained the information Mrs. Hicks had given was incorrect and the meal's tax is currently 7.5% instead. Mr. Collins stated that this was misinformation being pushed out to the public and that meals tax was an important revenue for the Town and could not be disregarded. Mr. Collins concluded that Councilwoman Hicks had also complained during the podcast that the Town had forced her to install a sprinkler system at one of her properties. Mr. Collins expressed that having a sprinkler system for the property was required by International Building Code.

VII. COMMITTEE REPORTS

- A. Stipes and Bishop – Street Committee Report/Recommendation

1. Boundary Line Adjustment between Lots 3 & 4, Craig Mountain Section 2 and Tax Parcel 528 – ((A)) – 97 situated on Tomahawk Drive, S.E. and Flint Drive, S.E.

Councilman Stipes explained that approximately six months ago the Town had a plat in the same area. Mr. Stipes referenced a plat that showed three lots and explained that those three lots would balance the size of the requested parcels. He stated that eighty percent of the lots were one big parcel, and that this adjustment would be more in keeping with the character of the neighborhood.

Councilman Stipes made a motion to approve the recommended boundary line adjustment situated on Tomahawk Drive, S.E. and Flint Drive, S.E. The motion was seconded by Councilwoman Sachs. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

- A. Rezoning request by Deerfield Home Estates LLC to rezone Tax Parcels 496 – ((A)) – 68 and 73 (4.711 acres) from Agricultural (A) and Two-Family Residential (R-2) to Single Family Residential (R-1) with conditions. The proposal was revised to construct 26 single-family detached dwellings. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Councilman Showalter made a motion to approve the rezoning request by Deerfield Estates LLC as presented. The motion was seconded by Councilman Huppert.

Mayor Barber explained that Council had received an emailed public comment from Ms. Kim Dowdy, Overlook Street. Councilwoman Hicks read the referenced email to the public. (*The emailed public comment will be recorded in the final minute book*). Councilwoman Hicks inquired if Kim Dowdy's questions concerning the rezoning request would be addressed by staff or council. Town Manager Wingfield explained that Ms. Dowdy's questions had been answered at the Public Hearing. Councilwoman Hicks inquired about the Public Hearing signs placement in the area and stated that in her opinion they were not visible to everyone. Mr. Wingfield explained that the Town did put the signs out but there was no specific area the signs had to be placed. He also specified that legal ads had been placed in the local paper and letters had been sent to the affected residents notifying them of each of the Public Hearings. Mayor Barber noted that residents on Overlook Street would not have received a letter since they were not adjacent property owners. Councilman Stipes explained that the Planning Commission reviews the rezoning requests and stated that the requests go through rigorous reviews and that Council should be satisfied if the Planning Commission gives their recommendation. Councilwoman Hicks expressed that Council should reply to citizens questions.

Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- B. Conditional Use Permit request by Deerfield Home Estates LLC for a Planned Housing Development to consist of 26 single-family residential dwellings on property located adjacent to Wades Lane and Agee Street, Tax Parcels 496 – ((A)) – 68 and 73.

Councilman Showalter made a motion to approve the conditional use permit request as presented by Deerfield Homes Estates LLC. The motion was seconded by Councilman Huppert. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- C. Conditional Use Permit for R-3 Multi-Family Residential District uses in the B-3 General Business District by Bruce A. Moses (owner) on behalf of Bryan A. Rice (applicant) at 975 Radford Street (Tax Parcel 525 – ((A)) – 19). The proposal is to construct five (5) townhome units. The property is designated as Business/Commercial on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Councilman Showalter made a motion to approve the conditional use permit request for R-3 Multi-Family Residential District uses in B-3 General Business District at 975 Radford Street. The motion was seconded by Councilman Huppert. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- D. Discussion of Opioid Release.

Town Manager Wingfield explained he had been approached by Montgomery County concerning the Opioid Release funding and noted that there would be money coming from opioid manufacturers in the near future. He explained that the County had inquired if the Town would sign a release to increase the pool of money the state and County could receive. He explained that this money could be used for the court system, treatment programs for individuals and a possibility of sharing with other sheriff's offices and local police departments. Councilwoman Hicks stated she felt this was a positive program for the Town to join. Town Attorney Reid Broughton explained that he did not believe there would be any issues for the Town if they signed the opioid release. Mr. Wingfield explained he would rather Town Council have the release document in their hands to look over before a decision was made. Councilman Huppert commented that many people were affected by this and we should try to combat it at every opportunity.

Councilman Showalter made a motion to table the discussion of Opioid Release until further review. The motion was seconded by Councilman Huppert. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- E. Aquatic Center contract with City of Radford.

Director of Aquatics Terry Caldwell addressed Council concerning the five years of full operation with the City of Radford. Ms. Caldwell explained the City of Radford residents currently had to pay a five dollar per resident fee and could purchase a monthly visit to the Aquatic Center for fifteen dollars. Ms. Caldwell noted that \$62,000 of revenue had been coming in for the Town of Christiansburg and if the Town decided to end the contract it would be a significant loss. She cautioned Council to be aware of what the Town had with the City of Radford and how important their resident money is. Ms. Caldwell explained that

during Covid-19, the Town had a contract with another local university. She stated that they had called and canceled their contract, but the City of Radford had stayed with the Town. Ms. Caldwell concluded that she would like to ask for a renewal of next year's contract with the City of Radford and would like to continue to invoice monthly like we currently do. Councilman Showalter stated that the Aquatic Center was a great facility, and he appreciated the wonderful job they have done during the pandemic. Councilman Huppert expressed that the Aquatic Center was a great asset and felt the contract should remain the same.

Councilman Stipes made a motion to approve the Aquatic Center contract with the City of Radford. The motion was seconded by Councilman Showalter. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

IX. STAFF REPORTS

A. Town Manager

Town Manager Wingfield explained that he had been approached by Public Relations concerning a photo calendar for the Town. He stated the Town calendar would feature the photo of the year submissions and pictures of different areas around Town. Councilman Huppert expressed that information about Town Council meetings, events, etc. could be a part of the calendar as well. He commented that it would be beneficial for everyone living in Town. The most affordable of the two quotes received for 1,000 units was \$4,000. Councilwoman Hicks noted that the calendar was a great idea but would like Council to wait until Covid numbers had gone down before making a final decision. Councilman Showalter recommended posting the calendar to survey the interest in buying one and then decide.

B. Town Attorney

No report.

C. Other Staff

No report.

X. COUNCIL REPORTS

Mayor Barber thanked the Kiwanis Club and the various departments for working the Wilderness Trail festival. He reminded everyone of the Rockin' on Main Street festival on Saturday, October 2nd from 3 p.m. to 9 p.m.

Councilman Stipes reported that he had placed a copy of the 2020 Vision Plan that was started in 2009 at everyone's table and explained that Council had made incredible strides since then. Councilman Showalter touched on the League of Women Voters and the candidate forums for Town Council. He noted that the Town Council forum would take place on Saturday, October 2nd at 11 a.m. and the Mayoral forum would broadcast October 10th at 3:30 p.m. Mr. Showalter recommended that IT staff from the Town reach out to the League of Women Voters to inquire about putting the feed on the Town's webpage for viewers. Mr. Wingfield stated he would reach out to the IT and Public Relations Departments.

Councilman Huppert agreed with Mr. Showalter concerning the candidate forums being broadcasted on the Town's webpage. He also urged residents to donate to the Fire Department and noted that this year the department had answered 967 fire calls and explained that even with increased calls their response time had improved greatly this year. Mr. Huppert urged the community to get the Covid vaccination.

Councilman Bishop
No report.

Councilwoman Sachs
No report.

Councilwoman Hicks reminded everyone of the Town's Fall cleanup starting October 2nd. Mrs. Hicks inquired if Town Manager Wingfield would work on the volunteer's page concerning benefits for volunteers to encourage them to apply with the Town. Mrs. Hicks recommended that conditional use permit fees be discussed at the next Town Council meeting. She explained she felt a great deal of work was put into permits and the fees were too high. Mr. Wingfield explained that the \$750 fee for conditional use permits was the normal base fee and explained that advertising requirements were per Code of Virginia. Mr. Wingfield explained that the Town ran two legal ads in the local paper, sends certified letters to the adjoining property owners and this conditional use fee pays for those things. Councilman Showalter offered that Council wait for the new Council members at the end of the year before discussing permit fees. He concluded that work sessions normally were a good place to discuss fee changes as well as budget work sessions.

XI. OTHER BUSINESS

A. Closed Meeting:

1. Councilman Bishop made a motion to enter into a Closed Meeting under Code of Virginia § 2.2-3711(A)(3), for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. The Closed Meeting is being held for discussion of potential acquisition of property in the downtown area. The motion was seconded by Councilman Showalter and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

2. Reconvene in Open Meeting.

3. Certification.

Councilman Bishop moved to certify that the Town Council of the Town of Christiansburg, meeting in Closed Meeting, to the best of each member's knowledge, discussed only the matters lawfully exempt from open meeting requirements by Virginia Law and only such matters as are identified in the Resolution to enter into Closed Meeting. The motion was seconded by Councilwoman Hicks and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

4. Council action on the matters.

XII. ADJOURNMENT

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 8:45pm.

Tracy Heinline, Clerk of Council

D. Michael Barber, Mayor