

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
SEPTEMBER 27, 2016 – 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 27, 2016 AT 7:00 P.M.

COUNCIL MEMBERS PRESENT: Mayor D. Michael Barber; Vice-Mayor Henry Showalter; Samuel M. Bishop; Harry Collins; R. Cord Hall; Steve Huppert; Bradford J. Stipes. ABSENT: None.

ADMINISTRATION PRESENT: Town Manager Steve Biggs; Assistant Town Manager Randy Wingfield; Clerk of Council Michele Stipes; Town Attorney Theresa Fontana; Assistant to the Town Manager Adam Carpenetti; Finance Director/Treasurer Valerie Tweedie; Planning Director Andrew Warren; Director of Engineering Wayne Nelson; Public Relations Director Melissa Powell; Aquatics Director Terry Caldwell; Police Chief Mark Sisson; Lieutenant Tim Brown; Police Accreditation Specialist Donna Akers; Farmer's Market Manager Sarah Belcher.

I. CALL TO ORDER

A. Moment of Reflection

B. Pledge of Allegiance

II. ADJUSTMENT OF THE AGENDA

A. Councilman Hall made a motion to adjust the agenda to add Council action on Public Hearing Item A: Community Development Block Grant - Consolidated Plan and Annual Action Plan for the year beginning July 1, 2016. Councilman Showalter seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye. The matter was scheduled as VIII.A.5.

III. PUBLIC HEARINGS

A. The Town of Christiansburg Virginia as a recipient of block grant funding is required by the U.S. Department of Housing and Urban Development (HUD) to prepare and adopt a multi-year Consolidated Plan and Annual Action Plan that solicit citizen views on proposed Community Development Block Grant (CDBG) program activities contained in these documents. The plan outlines proposed activities for CDBG funding and specific activities for the program year beginning July 1, 2016. Planning Director Andrew Warren reported that a month long open public review period had been held and resulted in no public comments. The annual action plan proposed was similar to past year's, with a focus on improvements/installment of sidewalks on Park Street. Council will take action on the matter later in the meeting.

B. Conditional Use Permit amendment request for the Cambria Crossing planned housing development in the MU-1 Mixed Use: Residential – Limited Business District for a 1.12 acre parcel on the eastern side of the intersection of Cambria Street, N.W. and Phoenix Boulevard, N.W. (tax parcel 465 – ((A)) – 3A) by SHAH Development, LLC. Planning Director Andrew Warren explained that the Planning Commission had recommended denial of the initial CUP request. SHAH Development, LLC amended its request to address concerns of the commission, but the commission again recommended denial based on ongoing concerns with access, density, and structure façade. Earlier today, SHAH Development, LLC submitted further revised conditions, along with a drawing indicating restructured access points, for Council consideration. Thom Rutledge, project manager for SHAH, explained that the 1.12 acre parcel had been designated as limited business use in 2005. SHAH had expected the property to be developed

commercially, but the lot had not sold, despite being listed for several years. Now, SHAH has decided to develop the property residentially as part of Cambria Crossing. Mr. Rutledge explained the revisions to the request that focused on reduced density from six units to five units, reconfigured access points, and changed façade plans to be uniform with existing homes in the neighborhood. It was noted that the Town would not be responsible for the new access if approved by Council. Mr. Rutledge said he worked with Town staff and Councilman Collins, who is the Council representative on the Planning Commission, to revise the plan in a way that would address all concerns of the Planning Commission, and would satisfy the concerns expressed by citizens during the Planning Commission and via email. In reference to an email from a concerned resident, Mr. Rutledge noted that the 1.12 acre lot was never intended to be designated as open space, but had been designed for business use. Also, he noted that the lot size of .02 acres was larger than some of the existing lots built on in Cambria Crossing. According to Mr. Rutledge, the average lot size in Cambria Crossing was .139 acre. Planning Director Andrew Warren noted that the lot sizes were designed and provided by the applicant, and the Town provided an analysis of the Planned Housing Development site plan. Councilman Stipes expressed concern with the limited sight distance at the only entrance/exit to Cambria Crossing, noting that the proposed residential use would create less traffic than if the property were developed for business use. Residents of Cambria Crossing, Mr. and Mrs. Franklin, were asked by Councilman Stipes if their concerns with density and façade had been alleviated through the new plan and revised conditions submitted by SHAH. Mrs. Franklin said she and her husband were pleased that the density had been reduce, and she clarified through Mr. Rutledge that the façade of the new structures would be brick face and brick to grade. According to Mrs. Franklin, some of the homes toward the rear of the neighborhood did not meet the standard of brick to grade, but instead had exposed concrete. Mr. Rutledge said he was aware that he overlooked a lack of brick on one of the homes he approved in the neighborhood, and he apologized for the oversight. David Hagan explained that the façade standard for the neighborhood was brick to grade, and that he has made sure through architectural review/approval that the appearance of the structures in the request met those standards and resembled existing homes. Since the next regular Council meeting had been cancelled, Councilman Hall made a motion to amend the agenda to include Council action on this matter, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye. Councilman Huppert expressed concern with not having adequate time to do a site visit in light of the newly proposed conditions.

C. Proposed lease of land and tank space located at 1306 Buffalo Dr. (Tax Map #555-A-1), 2055 Simpson Rd. (Tax Map #499-2-8), 1525 Sherwood Drive (Tax Map #498-A-26A), and Oak Grove Tank Site (Tax Map #108-A-60A), by the Town of Christiansburg to New River Valley Unwired Ventures, LLC, for the purpose of providing broadband internet service. Assistant to the Town Manager Adam Carpenetti provided Council with a sample addenda and reviewed the key items of interest in the proposed contract, including term, rental costs, and rate limitations. The Town is currently working with an engineering firm to do an analysis of the water tank. The Town and New River Valley Unwired have agreed to comply with the recommendations provided in the analysis, and New River Valley Unwired agreed to reimburse the Town for 50% of the cost of the analysis. Mayor Barber, Adam Carpenetti, Town Manager Biggs, and Attorney Fontana expressed support for the five year lease term, with Town Manager Biggs noting that he anticipated that the business would continue to work with the Town in the future. Councilman Hall asked how the Town would monitor the rate limitations set forth in the contract. Town Manager Biggs replied that the rates could be generally known, and that the Town could ask the business to periodically certify its rates; however, Mr. Biggs stated that the business should not be compared to larger providers since it primarily provided service to underserved/unserved customers and was not competitive in nature.

IV. CONSENT AGENDA

A. Meeting Minutes of September 13, 2016

B. Monthly Bills

Councilman Stipes made a motion to approve the consent agenda, seconded by Councilman Showalter. Council was polled on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

V. CITIZEN COMMENTS

A. No comments.

VI. INTRODUCTIONS AND PRESENTATIONS

A. Presentation by Mayor Barber of a Resolution in Support of Help Save the Next Girl. Mayor Barber introduced members of the Christiansburg High School chapter of Help Save the Next Girl, and presented them with a framed resolution declaring October as Help Save the Next Girl Awareness Month. Mayor Barber talked about how the group came together to offer support to the community and police when a fellow high school student went missing last year. The group's sponsor, Ms. Connelly, introduced the student members of the executive board, along with four freshmen who were new to the group. She spoke about the group's focus in bringing awareness to safety issues through its involvement in community events. Currently, there are 89 members in the Christiansburg High School chapter. Police Chief Sisson stated that the Help Save the Next Girl program was important to the missing person investigation last year, and he expressed appreciation for the group's assistance and support. He talked about how the group was helping to change the culture and the community through its efforts in bringing awareness to personal safety issues. In Montgomery County, Auburn High School, Blacksburg Middle School, and Blacksburg High School have chapters, while Eastern Montgomery and Christiansburg Middle School were working toward establishing chapters. A copy of the resolution is attached.

B. Christiansburg Police Department Presentation:

1. Gary Roche of the Virginia Law Enforcement Professional Standards Commission to present Police Chief Sisson with a Certificate of Reaccreditation. Mr. Roche addressed Council regarding the process of reaccreditation and, on behalf of the Virginia Law Enforcement Professional Standards Commission, congratulated the Police Department on receiving its reaccreditation, then presented Police Chief Sisson with a framed accreditation certificate. Mr. Roche explained that accreditation status was sought on a volunteer basis every four years and was a measure and confirmation of agency compliance with the one hundred and eighty professional standards focusing on policy, procedures, operations, management, and support services. Mr. Roche noted that although accreditation was a four year term, agencies that were accredited must provide annual verification of continued compliance. Mr. Roche congratulated Chief Sisson and his personnel for their hard work and dedication to excellence. This reaccreditation was the fifth consecutive accreditation award for the police department. Police Chief Sisson thanked Mr. Roche for the certificate, then acknowledged and introduced Lieutenant Tim Brown and Police Accreditation Specialist Donna Akers who were responsible for completing the reaccreditation process. Every standard was met by the police department and Chief Sisson thanked Mr. Brown and Mrs. Akers for their performance and professionalism during the process. Chief Sisson then spoke about the importance of being an accredited agency and how it benefited the community. In closing, he thanked Council for the opportunity to pursue accreditation status.

C. Engineering Department Presentation:

1. Engineering Director Wayne Nelson to present on the Towne Branch Stream Restoration Project. Using PowerPoint, Mr. Nelson introduced to Council the Towne Branch Stream Restoration Project, and indicated the project path from Depot Park to a large culvert under Mill Lane. Mr. Nelson reported that the low bid on the project exceeded available funds, however, the Town would be moving forward in discussions with the low bidder to re-negotiate the bid, or re-bid the project. The Town plans to reapply for grant funding in February, and the DEQ has advised that there would be a high potential for funding if the project was shovel-ready at the time of application. Funding would be from the state and would be a 50% matching grant. Mr. Nelson noted that the engineer's estimate on the project was on budget, but that the bids were significantly higher than expected. Director of Public Relations Melissa Powell, Project Manager Jessie Nester, Aquatics Director Terry Caldwell, and Director of Parks and Recreation Brad Epperley have been working together to develop a public relations plan that would highlight the recreational facilities along the project path. Mr. Nelson said he hopes construction on the project will begin next summer.

VII. OLD BUSINESS

A. Council Action On:

1. Conditional Use Permit request for a commercial garage in the B-3 General Business District at 30 Bower Street, NW [Tax Parcel No. 526 – ((A)) – 46] by George Gray. The Public Hearing was held September 13, 2016. The Planning Commission recommendation was for approval with 14 conditions as follows: 8 ayes, 0 nay; 1 absent. Councilman Huppert and Councilman Stipes said they did site visits and were satisfied with the property appearance and the Planning Commission recommendation. However, Councilman Stipes recommended a six-month CUP review by Town staff, at no cost to the property owner, instead of the recommended one-year review. Councilman Hall asked for clarification of the proposed conditions that pertain to vehicles on the lot. The applicant clarified that any car at the shop would be kept in the shop. The shop is for race cars and would not be an actual car service garage. Planning Director Andrew Warren clarified that the condition pertaining to "no more than six cars" complied with zoning requirements. Councilman Hall said he was satisfied that the conditions addressed the concerns expressed by neighboring property owners, and he voiced support for a six-month CUP review. Councilman Stipes made a motion to amend the conditions to require a six-month CUP review and to issue the CUP as amended. Councilman Huppert seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye. A copy of the CUP is attached.

VIII. NEW BUSINESS

A. Council Action On:

1. Proposed lease of land and tank space located at 1306 Buffalo Dr. (Tax Map #555-A-1), 2055 Simpson Rd. (Tax Map #499-2-8), 1525 Sherwood Drive (Tax Map #498-A-26A), and Oak Grove Tank Site (Tax Map #108-A-60A), by the Town of Christiansburg to New River Valley Unwired Ventures, LLC, for the purpose of providing broadband internet service. The Public Hearing was held earlier in the meeting. Councilman Hall made a motion to approve the lease with New River Valley Unwired Ventures, LLC, as presented, seconded by Councilman Stipes. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
2. Council to set the personal property tax relief percentage at 37.08% as required by the Personal Property Tax Relief Act. Council is required to set the personal property tax relief percentage on an annual basis. Councilman Stipes made a motion to set the personal property tax relief percentage rate at 37.08% as recommended by Finance Director/Treasurer Valerie Tweedie, seconded by Councilman Showalter. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
3. Resolution Honoring the 150th Anniversary of Schaeffer Memorial Baptist Church. Councilman Hall made a motion to adopt the resolution as presented, seconded by Councilman Stipes. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
4. Resolution declaring October 9 – 15, 2016 as Fire Prevention Week. Councilman Hall made a motion to adopt the resolution as presented, seconded by Councilman Stipes. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
5. Community Development Block Grant - Consolidated Plan and Annual Action Plan for the year beginning July 1, 2016. The Public Hearing was held earlier in the meeting. Councilman Showalter made a motion to approve the CDBG Consolidated Plan and Annual Action Plan as presented, seconded by Councilman Hall. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
6. Conditional Use Permit amendment request for the Cambria Crossing planned housing development in the MU-1 Mixed Use: Residential – Limited Business District for a 1.12 acre parcel on the eastern side of the intersection of Cambria Street, N.W. and Phoenix Boulevard, N.W. (tax parcel 465 – ((A)) –

3A) by SHAH Development, LLC. Councilman Stipes made a motion to issue the Conditional Use Permit with proffers provided today in a letter dated September 27, 2016 from SHAH Development, outlining additional self-imposed conditions that address the concerns of the Planning Commission. Councilman Collins seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye. Councilman Huppert expressed concern with taking action on the request tonight, noting that he voted in support because Mr. Rutledge agreed to tour the site with him, which he said he appreciated. Mr. Rutledge thanked Councilman Collins for working with him on behalf of the Planning Commission to develop a satisfactory plan. A copy of the CUP and SHAH Development's letter dated September 27, 2016 are attached to these minutes.

IX. COMMITTEE REPORTS

A. Street Committee:

1. A request from Montgomery County for a crosswalk and "No Parking" signs on Imperial Street. Councilman Stipes used an aerial photograph to explain the one block location of the crosswalk and "No Parking" signs in the County's request. The request was meant to address pedestrian safety concerns between the Government Center and its parking lot, and in studying the request, the Street Committee recommended two pedestrian crosswalks, augmented with vertical roadside crosswalk signs and a crosswalk delineator sign in the street, along with signs for no parking on the side of the road with sidewalks. Councilman Stipes reported that the Street Committee determined these traffic measures would improve pedestrian safety on Imperial Street because of low traffic volume and high pedestrian use. Councilman Stipes made a motion to approve the traffic safety measures for the portion of Imperial Street between the Government Center and its parking lot as described, seconded by Councilman Collins. Councilman Showalter asked if "No Parking" signs could be extended along Imperial Street to Chinguapin Trail to improve pedestrian safety along the entire length of Imperial Street. Director of Engineering Wayne Nelson noted that pedestrian safety at the Government Center was a concern due to obstructed visibility of pedestrians by delivery trucks. However, Councilman Stipes stated that Councilman Showalter was well familiar with Imperial Street, and its surrounding area, and he respected his opinion that extending no parking would be a safety improvement to the area. Director of Engineering Wayne Nelson said he did not see a concern with extending no parking along the left side of Imperial Street to Chinguapin Trail. Councilman Stipes revised his motion to include extending "No Parking" signs along the left side of Imperial Street to Chinguapin Trail. Councilman Collins seconded the revised motion and Council voted as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
2. Subdivision Plat of Survey showing the Subdivision of Robin Hood Estates Lot 24A (Tax Map Parcel No. 498 17 24) to create 2 Lots for RWW35 LLC. Councilman Stipes explained the request to subdivide one lot into two for development purposes. The request conforms with the subdivision ordinance and Councilman Stipes made a motion to approve the request, seconded by Councilman Bishop. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

X. STAFF REPORTS

A. Town Manager Biggs:

1. Inspection and pruning plan for Constitution Oak. Town Manager Biggs reported that Micheal Huesman had photographically inspected Constitution Oak and determined that the tree had vigorous new growth, but also visible limb death from previous over-pruning. Mr. Biggs misstated and the inspection was actually performed by arborist Ed Milhaus. Mr. Milhaus recommended pruning the dead limbs for the health of the tree and for public safety reasons. He also recommended further inspection of the tree by a tree specialist to determine the extent of the visible fungal infection. Town Manager Biggs said he supported the recommendations and requested authorization from Council to move forward with pruning the limbs that appeared dead, and to ask Mr. Milhaus to further inspect the tree to determine the extent of the visible fungal infection and the survivability of the tree. Town Council authorized Town Manager Biggs to move forward with the recommendations of Mr. Milhaus. Mayor Barber gave a brief history of the oak tree and noted that three saplings had been grown from

the acorns of Constitution Oak by a citizen as legacy trees, should the oak tree ever need to be removed.

2. Main Street paving bid process. Town Manager Biggs reported that the Town received one response to the Main Street paving bid, and that response was unsatisfactory. As a result, Town Manager Biggs recommended combining the paving of East Main Street with the future West Main Street paving project. Deferring the East Main Street paving would be a good financial decision according to Town Manager Biggs; however, it would mean that the newly improved sidewalk area near the square would remain unfinished for a few months, but that would not create a safety concern for motorists or pedestrians.
3. Town Manager Biggs reported that he would finalize the details for the annual Council retreat scheduled for November 9 – 10.

XI. COUNCIL REPORTS

- A. Councilman Huppert reported on the recent annual Food Truck Rodeo and confirmed through Police Chief Sisson that there were no arrests made at the event. He then reported on the financial success of the recent Heritage Day event.
- B. Councilman Showalter reported on the NRV Regional Commission, noting the commission's focus on promoting the Go Virginia initiative, and the Cascades area of the Jefferson National Forest. He then thanked Councilman Collins and Hil Johnson for their willingness to serve on the commission, and invited all to attend commission meetings.
- C. Councilman Stipes - No report.
- D. Councilman Hall reported on the John Lemley Lane Park and expressed appreciation for the newspaper coverage of the park on October 7. He then reported that two high school students had been chosen by the Recreation Advisory Commission for appointment to the commission: Matthew Davidson and Nicole Diloia. The students were highly recommended by Shane Guynn, the new assistant principal at Christiansburg High School. The Town has advertised the three vacancies on the Recreation Advisory Commission and interviews are to be held in October and November.
- E. Councilman Bishop – No report.
- F. Councilman Collins - No report.
- G. Mayor Barber reported that Town representation was needed on the NRV Agency on Aging. Scott Weaver held the position for many years; Richard Ballengee serves as alternate and has been attending the meetings on Mr. Weaver's behalf for some time. He agreed to serve as representative if it was Council's pleasure. Councilman Hall made a motion to appoint Richard Ballengee as representative on the NRV Agency on Aging, and to appoint Councilman Huppert to serve as alternate. Councilman Collins seconded the motion and Council voted as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye. Mayor Barber then noted two vacancies on the Planning Commission and Council agreed to advertise the positions.

XII. OTHER BUSINESS

- A. The regular council meeting on October 11, 2016 has been cancelled due to a scheduling conflict with the Annual VML Conference.

XIII. ADJOURNMENT

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 9:10 P.M.

Michele M. Stipes, Clerk of Council

D. Michael Barber, Mayor