

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
OCTOBER 25, 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 OCTOBER 25, 2016 AT 7:00 P.M.

COUNCIL MEMBERS PRESENT: Vice-Mayor Henry Showalter; Samuel M. Bishop; Harry Collins; R. Cord Hall; Steve Huppert; Bradford J. Stipes. ABSENT: Mayor D. Michael Barber.

ADMINISTRATION PRESENT: Town Manager Steve Biggs; Assistant Town Manager Randy Wingfield; Clerk of Council Michele Stipes; Town Attorney Theresa Fontana; Human Resources Director David Brahmstadt ; Planning Director Andrew Warren; Finance Director/Treasurer Valerie Tweedie; Director of Engineering Wayne Nelson; Environmental Program Manager John Burke; Assistant Director of Public Works Jim Lancianese; Public Relations Director Melissa Powell; Aquatics Director Terry Caldwell; Police Chief Mark Sisson; 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 amend the agenda to add the monthly bills to the consent agenda. Councilman Bishop seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Stipes – Aye.
- B. Councilman Hall made a motion to table items VIII. A. 1, 2, and 3, until November 8, 2016, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Stipes – Aye.

III. PUBLIC HEARINGS

- A. Conditional Use Permit, for Exterminating Services in the B-3 General Business District at 516 Roanoke Street (Tax Parcel No. 528 – ((A)) – 47) request by Chris Woolwine, agent for Woolwine Brothers, LLC. Brad Woolwine, of 516 Roanoke Street was present on behalf of his brother, applicant Chris Woolwine, and he offered to answer questions of Council. Councilman Hall asked if the pesticide quantities and storage were in compliance with state code as set forth by the Planning Commission in the conditions of the CUP. Mr. Woolwine responded that pesticides were stored on site, and that storage and quantities were in compliance with the conditions of the CUP resolution. It was noted that the Planning Commission recommendation to approve the CUP with three conditions was a unanimous vote. Councilman Stipes made a motion to amend the agenda to include Council action on this matter, seconded by Councilman Hall. Council voted as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Stipes – Aye.
- B. Ordinance vacating a .069 acre portion of Stone Street adjoining Tax Parcel 496-27-4 (555 N. Franklin Street NE) related to the Kroger grocery store expansion. Planning Director Andrew Warren explained that there were two ordinances for Council consideration regarding the Kroger expansion. Using plats, he explained the request to vacate a portion of Stone Street, which would allow for additional parking, and the request to vacate and relocate public utility easements along the portion of Stone Street to be vacated. Mr. Warren noted that he did not anticipate the Town needing the public utility easements because the portion of Stone Street to be vacated was a small portion that only served Kroger. Town staff reviewed the plats and found no objection to the requests. Councilman Stipes reported that the Street

Committee reviewed the requests and found no objections. Steve Semones of Balzer and Associates offered to answer questions of Council on behalf of Kroger. Councilman Huppert asked about the projected timeline for completion of the expansion. Mr. Semones said site work had been delayed due to weather, but expects the project to be completed by spring 2017. Vice-Mayor Showalter noted that the matter would come back before Council for discussion at a future meeting.

- C. Ordinance vacating a public utility easement on Tax Parcel 496-27-4 (555 N. Franklin Street NE) related to the Kroger grocery store expansion. The above comments also pertain to this matter.

IV. CONSENT AGENDA

- A. Meeting Minutes of September 27, 2016

- B. Schedule Public Hearing for November 8, 2016 for an Ordinance Amending the 2013 Comprehensive Plan to Allow Four (4) Urban Development Areas within the Town of Christiansburg.

- C. Resolution in Support of Depot Park Trail Extension Project

- D. Monthly Bills

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

V. CITIZEN COMMENTS

- A. Dennis Kiernan, 1380 Starlight Court, addressed Council regarding excessive noise from Starlight Drive-In, which adjoins his property. Mr. Kiernan explained that the drive-in had recently upgraded its speaker system, which had resulted in noise volumes up to 100 decibels during movies and during daytime clean-up. The noise, according to Mr. Kiernan, was loud enough to shake windows in his home at times, and interfered with being able to hold a conversation outside. The noise volume was slightly decreased after the Police Department became involved, but the noise volume was still excessive on his property. Mr. Kiernan said he understands that a petition had been circulated in support of the drive-in, but he believed those involved were not residents who lived near the theater. Mr. Kiernan compared this situation to the noise generated on I-81 where concrete barriers had been constructed to protect residents from traffic noise. Mr. Kiernan asked Council to please consider his concerns and become involved in protecting the quality of life for residents living near the drive-in.

- B. Peggy Beasley, owner and operator of Starlight Drive-In, said that the drive-in had been in her family her entire life, and they had not experienced noise complaints from the community until she replaced the speaker system. The new sound system was a central array system that replaced the individual speaker boxes located at each parking spot. Ms. Beasley worked with sound technician John Arnold in setting up the new system. Mr. Arnold said that during set-up he worked with local officials to ensure noise level compliance, and later worked with the Police Department to relocate the central speakers and adjust the volume to address complaints. In addition, Mr. Arnold eliminated all frequencies 500hz and below, even though sound quality was compromised. Mr. Arnold said it was his opinion that the current noise volume was now at the same level as the previous sound system. Ms. Beasley said it was important to her to address the noise complaints and that she would be willing to comply with the guidelines used by the high school, if that was Council's pleasure.

- C. Jonathan Taylor, 685 School Lane, said he circulated a petition to generate support for Mrs. Beasley and the Starlight Drive-In. Mr. Taylor said he had used a decibel meter at the drive-in and the noise volume never exceeded 50 decibels.

- D. Ronald Haris, 1360 Starlight Court, said he has lived near Starlight Drive-In for many years and the recent noise volume has negatively impacted his quality of life at home.

E. Brian Atkins, 406 Radford Street, manager of Starlight Drive-In, said he keeps the music volume at a level 5 or 6, which was no louder than noise generated by a train. Mr. Atkins said that neighboring residents were considered when operating the business, but it was important to consider patrons, too. Mr. Atkins said he did not want trouble with the neighbors, but that he disagreed with some of what Mr. Kiernan had said.

F. Steve Velarde, 1265 Flint Drive, said he lives near Starlight Drive-In and, while he can occasionally hear sounds from the theater, he does not consider the noise to be disruptive. Mr. Velarde said the drive-in adds character to the town and he supports its continued operation.

G. Vice-Mayor Showalter told Peggy Beasley that Council would consider the situation and would provide her with information to assist in addressing the concerns prior to the theater reopening in the spring.

VI. INTRODUCTIONS AND PRESENTATIONS

A. Introduction of New Town of Christiansburg Staff.

1. Finance/Treasurer's Department – Introduced by Valerie Tweedie:

- Shana Stanley, Cashier
- Samantha Conner, Cashier

2. Engineering Department – Introduced by Wayne Nelson:

- Devon Eckstein, Engineering, Planning, Inspections Secretary
- Patricia Colatosti, Environmental Program Technician
- Andrew Widdowson, Environmental Program Technician

3. Aquatic Center – Introduced by Terry Caldwell and Crystal Jones:

- Chrystal Jones, Aquatics Supervisor
- Ian Dye, Aquatic Tournaments Supervisor
- Courtney Corriere, Lifeguard Supervisor

4. Public Works Department – Introduced by Jim Lancianese and Supervisors:

- Jason Diggs, Administrative Services Manager
- Felton Altizer, Traffic Signal Technician
- Richard Martin, Solid Waste Truck Driver
- Daniel Todd, Waste Water Maintenance Mechanic

B. Police Department Strategic Planning Presentation

Police Chief Sisson expressed his appreciation for the opportunity to report on the Police Department Strategic Plan. Chief Sisson explained that strategic planning was an important component in planning and meeting future goals for the department, and was a helpful resource during the budget process. He went on to explain the vision for strategic planning within the police department that focused on including verbal input of department staff. Council was provided an overview of the strategic planning process, and was given a hardcopy of the department's current goals and objectives. Councilman Hall expressed appreciation for the Police Department's leadership and efforts to meet the needs of the community, and he compared the strategic plan to the Town's Vision 2020. Councilman Huppert noted the proactive nature of the Police Department's leadership, which he said has had a positive impact on the entire department. Councilman Collins expressed his appreciation for the inclusion of ideas and suggestions from department staff. Vice-Mayor Showalter asked for an example of a program implemented as a result of staff suggestions. Chief Sisson replied that the department's e-ticket program was a successful program that had been researched and implemented because of a suggestion by a patrol officer. Council thanked Chief Sisson for the presentation.

C. John Burke, Environmental Program Manager, to present on the Municipal Separate Storm Sewer System Permit (MS4). Mr. Burke presented to Council information on the MS4 General Permit and the required MS4 Program Plan, which included an annual report that could be viewed on the Town's website. The program plan has been developed to meet permit requirements addressing: public

education and outreach on storm water impacts; public involvement/participation; illicit drainage detection and elimination; construction site storm water runoff control; post-construction storm water management in new developments and on previously developed sites; and pollution prevention. Mr. Burke noted that public education and outreach efforts would be aimed at students of Christiansburg Middle School, and would focus on educating the students on water quality issues. If water impairments were found during implementation of the program plan, an action plan would be developed to correct the pollution. Mr. Burke reported that an important aspect of the MS4 process was the evaluation of the previous year to determine if goals were being achieved, and modifications to address shortfalls. He stressed that the additional staff members hired during the current budget year will be critical in meeting current goals. Mr. Burke announced that he and Wayne Nelson had been invited to serve on the Technical Advisory Committee to develop recommendations for the 2018-2023 MS4 General Permit, noting that Christiansburg would be the only locality represented that was not located in the Chesapeake Bay Watershed. In closing, Mr. Burke said the goal of the MS4 program was to improve stream quality to the greatest extent practicable while carefully managing the commitment of resources. Councilman Huppert requested a future presentation on how the recently implemented stormwater management fees were being used within the stormwater program to directly benefit the community. Council thanked Mr. Burke for his presentation.

VII. OLD BUSINESS

VIII. NEW BUSINESS

A. Council Action On:

1. Ordinance vacating a .069 acre portion of Stone Street adjoining Tax Parcel 496-27-4 (555 N. Franklin Street NE) related to the Kroger grocery store expansion. Tabled until 11/8/2016.
2. Ordinance vacating a public utility easement on Tax Parcel 496-27-4 (555 N. Franklin Street NE) related to the Kroger grocery store expansion. Tabled until 11/8/2016.
3. Right of Way Vacation and Easement Relocation Plat From Records For The Town Of Christiansburg and Kroger Limited Partnership 1 hereby vacating a 0.069 Acre Portion of Stone Street and Portions of Public Utility Easements at 555 North Franklin Street. Tabled until 11/8/2016.

B. Request and Resolution for Lien Subordination from Community Housing Partners (CHP). Town Manager Biggs explained that in 2002 CHP secured a loan for building improvements in the amount of \$675,000. The loan was administered by Virginia Department of Housing and Community Development (VDHCD), and as required by VDHCD, the Town became the lien holder. CHP is an important community resource that provides housing benefits to individuals of low to moderate income and, in Christiansburg, has grown and prospered over the years. The CHP Board recently determined that certain facility improvements were necessary, which would require another loan. In order for CHP to take another development loan, the Town would need to subordinate the original 20-year lien administered in 2002. Town Manager Biggs said he does not see a risk to the Town in honoring the request to subordinate the loan. In the agenda packet, Council was provided copies of correspondence and a Deed of Trust dated October 31, 2002, and a resolution from CHP Board of Directors presenting its current request. Several CHP board members were present in support of the request and to answer questions of Council. Based on the information provided to Council, Councilman Hall made a motion to approve the lien subordination for CHP as requested, seconded by Councilman Stipes. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Stipes – Aye.

C. Conditional Use Permit, for Exterminating Services in the B-3 General Business District at 516 Roanoke Street (Tax Parcel No. 528 – ((A)) – 47) request by Chris Woolwine, agent for Woolwine Brothers, LLC. The Public Hearing was held earlier in the meeting. Based on the recommendation of the Planning Commission, Councilman Stipes made a motion to issue the CUP with three conditions as recommended by the Planning Commission, seconded by Councilman Huppert. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Stipes – Aye.

IX. COMMITTEE REPORTS

A. Street Committee:

1. Subdivision Plat from Records for Snyder-Hunt Company, LLP Creating Lots 1-11, 28-39, 58-76, and Two Open Spaces” – 42 lots – northern side of Quin W. Stuart Boulevard. Councilman Stipes reported that the subdivision plat was for property behind the Villas at Peppers Ferry that had been approved for development by Council two years ago. The property is zoned R-1 Single-Family Residential. The plat provides for 42 lots and is consistent with the approved plan of development, and complies with zoning and subdivision ordinance. Councilman Stipes made a motion to approve the subdivision plat with minor administrative changes, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Stipes – Aye.
2. Plat Showing the Division and Property Line Vacation of the Property of RWW36, LLC at 2175 North Franklin Street [Tax Parcel Nos. 436-A-10 thru 436-A-12]” – 2 lots – eastern side of N. Franklin Street. Councilman Stipes reported that the request was to vacate a property line to reduce three lots to two lots for the new Lidl store. A joint access would serve Lidl and a nearby future development on the former Kmart property. The plat conforms with the subdivision ordinance and the Town's vision for public health, safety, and welfare. Councilman Stipes reported that the plat had been reviewed and approved by VDOT and he made a motion to approve the plat as presented. Councilman Collins seconded the motion and Council voted as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Stipes – Aye.

X. STAFF REPORTS

A. Town Manager

1. Town Manager Biggs reported that Blacksburg Transit was interested in reinitiating the Christiansburg working group. Current members of the working group are Mayor Barber, Henry Showalter, Randy Wingfield, and Andrew Warren.
2. The Montgomery County Chamber of Commerce business expo is scheduled for November 9 from 2:00 p.m. to 7:00 p.m. at the Inn at Virginia Tech.
3. The Town's fall clean-up program is underway; a full financial analysis of the program will be presented to Council once completed.

B. Town Attorney

C. Other Staff

1. Director of Engineering Wayne Nelson – Update on Submitted Revenue Sharing Projects and Transportation Alternatives Application.
Mr. Nelson reported on the Depot Park Trail Extension Project listed on the VDOT Transportation Alternatives Funding Application. He reviewed with Council the various details planned for the park, which included interconnectivity with surrounding recreation areas. Estimated project costs were \$440,580, and with the 80/20 matching grant, the Town's financial responsibility would be approximately \$88,116. Mr. Nelson said he was hopeful the project would be selected for funding in 2017. In closing, Mr. Nelson announced that funding was in place for Phase 3 of the Huckleberry Trail Extension and he offered to answer questions of Council.

XI. COUNCIL REPORTS

- A. Councilman Collins said he enjoyed and was encouraged by the discussions of Council during the recent VML conference, and he expressed his appreciation for Council's willingness to work together in planning for the future of Christiansburg.
- B. Councilman Bishop – no report.
- C. Councilman Hall reported that the Recreation Advisory Commission had begun conducting applicant interviews for vacancies on the commission, with the hope of presenting recommendations at the first meeting in November. Councilman Hall then gave a reminder about the Halloween events scheduled for the coming Saturday at the recreation center, noting that Councilman Showalter's wife, Kelly, and her

elementary school students designed the t-shirts for the 5K event. Councilman Hall also expressed appreciation for Council's discussions during the recent VML conference.

- D. Councilman Stipes echoed the comments concerning Council's productive discussions during the VML conference, stating that he hopes it would become an annual tradition.
- E. Councilman Huppert commended the new practice of introducing newly hired Town staff to Council, and he then reported that the aquatic center would be holding interviews for staff later in the week.
- F. Councilman Showalter reported on the upcoming Halloween events scheduled for Saturday at the recreation center. He then expressed appreciation for the Council discussions during the recent VML conference, and recognized Town Manager Biggs as the catalyst for the productive dialogue.

XII. OTHER BUSINESS

A. Closed Meeting:

- 1. Councilman Bishop made a motion to enter into a Closed Meeting under Virginia Code Section 2.2-3711(A)(5), for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. The motion was seconded by Councilman Hall and Council was polled as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye. The Closed Meeting was held to consider incentives for proposed economic development investment.
- 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, seconded by Councilman Hall. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Stipes – Aye.
- 4. Council Action on the Matter. No action

XIII. ADJOURNMENT

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 9:12 P.M.

Michele M. Stipes, Clerk of Council

Henry D. Showalter, Vice-Mayor