

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
DECEMBER 13, 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 DECEMBER 13, 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; Planning Director Andrew Warren; Finance Director/Treasurer Valerie Tweedie; Director of Engineering Wayne Nelson; Public Relations Director Melissa Powell; Director of Aquatics Terry Caldwell.

I. CALL TO ORDER

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

II. ADJUSTMENT OF THE AGENDA

III. PUBLIC HEARINGS

A. The Consolidated Annual Performance and Evaluation Report (CAPER). The Town of Christiansburg, as a recipient of Community Development Block Grant (CDBG) funding, is required by the U.S. Department of Housing and Urban Development (HUD) to prepare the Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER is an evaluation and performance report detailing accomplishments toward meeting the goals outlined in the 2010-2015 Consolidated Plan. The CAPER compares the actual performance measures with those measures listed in the 2015 Annual Action Plan. Planning Director Andrew Warren provided a summary of the CAPER that compared 2015 goals with actual performance measures. The month-long citizen comment period would soon come to a close, with no comments received from the public. Advertisement of the comment period has been posted on the Town's website and at the local library. Upon Council approval, the report will be submitted to HUD to close out the funding period.

IV. CONSENT AGENDA

- A. Meeting Minutes of November 22, 2016
- B. Monthly Bills

Councilman Bishop 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 – Abstain (absent from the 11/22/16 meeting); Huppert – Aye; Showalter – Aye; Stipes – Aye.

V. CITIZEN COMMENTS

- A. No comments.

VI. INTRODUCTIONS AND PRESENTATIONS

- A. Recognition of Blacksburg Breakfast Lion's Club for Support of the 2nd Grader Swim Lesson Program at Christiansburg Aquatics Center. Several members of the Lion's Club, staff of Montgomery County Public Schools, and staff of Christiansburg Aquatic Center, were present in support of the Blacksburg Breakfast Lion's Club 2nd Grader Swim Lesson Program.

Director of Public Relations Melissa Powell reported that the Blacksburg Breakfast Lion's Club had begun the 2nd Grader Swim Lesson Program as a way to give back to the community by making free swim lessons available to community children through the Christiansburg Aquatic Center. The program is offered to all second graders in Montgomery County, with over 660 participants in 2015 and 750 in 2016. In 2016, donations by the Lion's Club allowed for four swim lessons per student, and Ms. Powell shared photographs of students participating in the program. Town Council thanked the Lion's Club for initiating the program, and the aquatic center, school system, and families, for supporting the program. Councilman Collins said Council discussed this program during its recent retreat and praised it as an important community service, and as a way to draw people to the aquatic center. He went on to encourage the aquatic center to challenge other community organizations to match the Lion's Club initiative to expand the program, or to initiate other community service programs. Councilman Hall spoke to the mortality statistics in the state from drowning, especially among the second-grader age group. He expressed that efforts to empower young children through free swim lessons demonstrated the proactive nature of the community, and reinforced Montgomery County's profile as a leader in initiatives designed to strengthen and build the community. Councilman Huppert said his grandchild participated in the program. During one of his visits with his grandchild, Councilman Huppert said he was told by a lifeguard that this was the first time some of the participants had ever been in a pool. Councilman Huppert said he hoped the program would be a catalyst for families becoming involved in learning to swim. Councilman Stipes said drowning was an important issue for children, and the 2nd Grader Swim Lesson Program was an effort that could significantly reduce the drowning risk for those who participate. He stressed that leaders of the program may never know the impact the lessons may have on participants' lives. Councilman Showalter said he appreciates what the Lion's Club has offered the community through the program, and he called attention to the many programs offered at the aquatic center, including adult swim lessons, designed to educate and empower individuals. Mayor Barber expressed appreciation for the partnerships between the Town and various civic/non-profit clubs, schools, and citizens, which serve to strengthen the entire community. Council thanked the Lion's Club for its efforts in providing an important community service to Montgomery County.

VII. OLD BUSINESS

- A. Council action on:

1. Conveyance of a .069 acre portion of Stone Street to Kroger Limited Partnership I. The Public Hearing was held on November 22, 2016. Councilman Stipes made a motion to approve the conveyance 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.
2. Right of Way Vacation and Easement Relocation Plat from Records for Kroger Limited Partnership 1 hereby vacating a 0.069 Acre Portion of Stone Street and Portions of Public Utility Easements, 1 Lot, 555 North Franklin Street. This matter pertains to the land conveyance above. Councilman Stipes made a motion to approve the right-of-way vacation and relocation plat as presented, seconded by Councilman Hall. Council was polled as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

VIII. NEW BUSINESS

- A. Three reappointments to the Aquatic Advisory Board. Director of Aquatics Terry Caldwell introduced the members present for reappointment: Jeremy Williams, Shirley Hallock, Karen Drake. Councilman Showalter stressed the importance of member attendance at scheduled meetings, and Town Manager Biggs reported that each member had met attendance requirements set forth in Town policy. Council voted on each reappointment individually as follows:

Councilman Showalter made a motion to reappoint Karen Drake to serve another four-year term on the Aquatic Advisory Board to expire December 31, 2020, seconded by Councilman Hall. Council was polled as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

Councilman Hall made a motion to reappoint Shirley Hallock to serve another four-year term on the Aquatic Advisory Board to expire December 31, 2020, seconded by Councilman Hall. Council was polled as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

Councilman Showalter made a motion to reappoint Jeremy Williams to serve another four-year term on the Aquatic Advisory Board to expire December 31, 2020, seconded by Councilman Collins. Council was polled as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

Council thanked each appointee for their willingness to serve the Town in this capacity.

- B. North Franklin Street/Cambria Street Intersection Improvement Engineering Design Contract (subject to VDOT review). Town Attorney Fontana reviewed with Council the updated version of the contract, and explained that the changes pertained to indemnification provisions, debarment status, and safety precautions, but did not change the dollar amount of the proposal. A copy of the updated contract was provided to Council in the agenda packet for review. The contract has been submitted to VDOT for review, and Council approval would be subject to VDOT changes, per Attorney Fontana. Brian Shook, 215 Roudabush Drive, asked for clarification of the proposal. Director of Engineering Wayne Nelson explained that the contract was for professional services to assist in studying and providing a recommendation on the reconfiguration of the Cambria Street intersection and North Franklin Street corridor. Councilman Hall made a motion to approve the North Franklin Street/Cambria Street Intersection Improvement Engineering Design Contract (subject to VDOT review), seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
- C. Water/Sewer Rate Study Contract Approval. Town Manager Biggs reported that the Town utilized the procurement process to secure proposals for a Water/Sewer Rate Study. Draper Aden submitted the lowest bid at \$33,700, which, according to Mr. Biggs, was acceptable due to the complex nature of the rate structure and the rate changes in costs of raw water, as well as the debt structure. The study will focus on the rate structure, and finance policy compliance. Councilman Hall made a motion to approve the Water/Sewer Rate Study Contract with Draper Aden, at a fee of \$33,700, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye. Director of Engineering Wayne Nelson said the accelerated schedule for the study provided for a completion date in early February 2017, depending on the Town's ability to provide information needed for the study. Councilman Stipes said he has questioned the need for a water/sewer rate study in the past, and he asked Mr. Biggs if he thought the study was a good idea. Mr. Biggs responded that the rate study was an important project, especially with the challenges currently faced in participating in the upgrade of the regional water facility.

IX. COMMITTEE REPORTS

A. Street Committee

- 1. Boundary Line Relocation Plat Revising the Boundaries of Tax Map Numbers 404-A-3H, 404-1-3C, and 404-1-3B, 3 Lots: 70, 75, and 80 Lynn Drive, N.W. Councilman Stipes reported that the request was to reconfigure four existing lots into three lots to be divided among family members. The Street Committee has studied the request and found it to be in conformity with Town ordinance. See Council action below.
- 2. Plat of Subdivision of Tax Parcel 500-(A)-5M of the Christiansburg Industrial Park, Phase VIII, 2 Lots, situated along Industrial Drive, N.E. and Houchins Road, N.E. Councilman Stipes reported on the request to divide one parcel into two lots for Collision Plus. The Street Committee has studied the request and found it to be in conformity with Town ordinance. A site plan has been submitted for parcel one for a contractor storage yard. See Council action below.

3. Plat Showing Subdivision of Lot 3 and part of Lot 4, Hagan-Thompson Subdivision being Tax Parcel 527-(A)-179, 2 Lots, 211 Hagan Street, N.E. Councilman Stipes reported that the request was to subdivide one lot into two similar sized building lots. The Street Committee has studied the request and found it to be in conformity with Town ordinance. See Council action below.
4. Plat Showing Boundary Line Vacation and Relocation Between Lots 66, 67, 67A, 68, and 69 East Park Addition and Tax Parcel 528-(A)-3, 3 Lots, 235, 245, and 255 Economy Street, N.E. Councilman Stipes explained that the request was to vacate/relocate lot lines to create three lots from five. The Street Committee has studied the request and found it to be in conformity with Town ordinance. See Council action below.

Councilman Stipes made a motion to approve items #1 - #4 under Street Committee reports, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

5. Street Signage and Safety on Robin Road and Carson Drive. Councilman Stipes reported that the Town received a citizen request for street signage to address safety concerns over limited sight distance at the intersection of Robin Road and Carson Drive. The Street Committee has reviewed the request, and Town staff will study the matter and provide a recommendation to Council in January 2017.
6. Other items. None.

X. STAFF REPORTS

A. Town Manager Steve Biggs:

1. Interviews for Planning Commission applicants have been scheduled for January 10, 2017 at 5:30 p.m., with a 15-minute interview time for each of the four applicants.
2. Business Plan for North Christiansburg Regional Park. Councilman Hall reported that the Recreation Advisory Commission supported a joint meeting with Council to present and discuss the business plan. Council agreed to present the business plan in a joint meeting with the Recreation Advisory Commission on January 17, 2017 from 6 – 8:00 p.m. at the recreation center. Councilman Huppert recommended inviting Montgomery County to participate in the meeting, since the county is expected to have financial interest in the park. Feeling it was too early in the process to involve the County, it was the consensus of Council to only meet with the Recreation Advisory Commission at this work session.

B. Town Attorney

C. Other Staff

XI. COUNCIL REPORTS

- A. Councilman Huppert provided Council with a flyer advertising a New Year's Eve family event at the aquatic center. He complimented the Town on the downtown Christmas lights and decorations.
- B. Councilman Showalter complimented the Town on the downtown Christmas lights and decorations. He then spoke about the success of the recently held Christmas Parade and Farmers' Market, expressing that the events were a great way to bring people downtown and build the community. Councilman Showalter requested that meeting minutes of the Recreation Advisory Commission and the Aquatic Advisory Board be included in agenda packets for Council review.
- C. Councilman Stipes – No report.
- D. Councilman Hall reported on the recent Recreation Advisory Commission meeting and commended the staff's role in the youth programs, specifically noting Supervisor of Youth Athletics Chuck Muncy's role in youth basketball. He echoed previous comments on the downtown Christmas decorations, and the success of the downtown Christmas celebration. He then asked the Street Committee to study traffic

concerns on Independence Boulevard that involve large moving/commercial type trucks parked along the side of the street partially blocking vehicle lanes. Town Manager Biggs noted that the concern could be addressed as an enforcement issue by the Police Department.

- E. Councilman Bishop thanked Town staff for setting up for the Christmas Parade, including the placement of barricades, and he asked Town Manager Biggs to pass his appreciation along to the appropriate staff members.
- F. Councilman Collins thanked the Police Department, Fire Department, and Rescue Squad for including Council in their Christmas celebrations. He then expressed his appreciation for all who participated in making the Christmas Parade a success.
- G. Mayor Barber expressed his appreciation for the comments on the Christmas Parade, and he gave a special thanks to his wife, Erlene, for her involvement, Justin Sheppard and his crew for preparing for the parade, Sarah Belcher for organizing the Christmas Farmers' Market, and Channel 7 for filming parts of the evening's activities. He noted that there was good turn-out, even though several vendors and parade participants cancelled due to the extreme cold. Mayor Barber then noted that Council was provided a copy of the minutes of the Kiwanis discussion of the Kiwanis Park Lease, and he offered to answer questions of Council regarding the information. He then informed Council that Town Manager Biggs was working on a compilation of Council appointees and expiration dates for Council's information. Councilman Collins, Hall, and Showalter, recommended that attendance and pay be included in the compilation. Councilman Showalter commented that he would like Council to review the attendance policy for appointees for possible modification.

XII. OTHER BUSINESS

- A. Discussion regarding the regular Council meeting scheduled for December 27, 2016. Mayor Barber reported that Council interest had been expressed in cancelling the December 27, 2016 Council meeting. Town Manager Biggs said cancelling the meeting would not create conflict with planning or administrative staff. The monthly bill list would be presented to Council for approval in January as "bills paid". Councilman Hall made a motion to cancel the December 27, 2017 Council meeting, seconded by Councilman Stipes. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
- B. Consideration of scheduling a joint meeting with Christiansburg Institute in January 2017. Councilman Stipes reported that Christiansburg Institute was organizing a joint meeting with its alumni, Christiansburg, Montgomery County, and Virginia Tech, tentatively for January 31, 2017. CI has asked for an idea of who was able to attend before proceeding with plans. Time details would be made available at a later date. All of Council indicated an interest in attending the joint meeting.
- C. Closed Meeting:
 - 1. Showalter made a motion to enter into a Closed Meeting under (1) Virginia Code Section 2.2-3711(A)(7), for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. The Closed Meeting pertains to property located on Industrial Drive. The motion was seconded by Councilman Hall and Council voted as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.
 - 2. Reconvene in Open Meeting.
 - 3. Certification. Councilman Showalter 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 matters. Councilman Hall made a motion to extend the contractual condition regarding construction of an industrial building with a Certificate of Occupancy until June 30, 2018, as requested by SHAH Development, LLC. Councilman Collins seconded the motion and Council voted as follows: Bishop – Nay; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

XIII. ADJOURNMENT

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

Michele M. Stipes, Clerk of Council

D. Michael Barber, Mayor