



City of Radford Council Agenda
Meeting Number 2 of F.Y. 2016-2017

August 8, 2016 at 7:00 p.m.
10 Robertson St., Radford, VA

CALL TO ORDER
PLEDGE OF ALLEGIANCE
INVOCATION

MINUTES APPROVAL: July 11, 2016 – regular meeting

PROCLAMATION: RHS Hall of Fame Week

RESOLUTION: Personal Property Tax Relief
New River Resource Authority

PUBLIC HEARINGS: Cell Tower Agreements

OLD BUSINESS: None

CITIZEN COMMENTS ON PUBLIC MATTERS:

(Please state your name for the record – Please limit comments to 3 minutes or less)

NEW BUSINESS:

1. Appropriation Ordinance 1682.04: \$22,500 for HAZMAT
2. Appropriation Ordinance 1682.05: \$147,886 for CDBG
3. Appropriation Ordinance 1682.06: \$126,873 for Victim Witness
4. Appropriation Ordinance 1682.07: \$38,912 for Asset Forfeiture
5. Vacation of Right-Of-Way
 - a. Schedule Public Hearing on September 12, 2016
 - b. Refer the Request to the Planning Commission
6. Authorization to proceed with Fire Truck order
7. Third Avenue Parking Lot Closure Request by the Radford Chamber of Commerce
8. Schedule Public Hearing to received comments regarding Amending Zoning Ordinance – Craft Beverage Manufacturing

COUNCIL MEMBER COMMENTS
Adjourn

Future Meetings:
September 12, 2016 - Regular meeting, 7:00 pm
September 26, 2016 – Regular meeting, 7:00 pm

10 Robertson St.
Regular Meeting Number 1 of Radford City Council, F.Y. 2016-2017

The "New River" City
July 11, 2016

Radford, Virginia

The regular meeting of the Radford City Council was convened at 7:00 p.m. in Council Chambers, 10 Robertson Street, Radford, VA. The Mayor of the City, Dr. Bruce Brown, was present and presiding. Other members of City Council present were Mr. Robert Gropman, Dr. Richard Harshberger, Mr. Daniel Keith Marshall and Mr. David Michael Turk.

Others present were as follows:

Mr. David Ridpath, City Manager
Ms. Melissa Skelton, City Clerk
Mrs. Gail Cook DeVilbiss, City Attorney
Mr. Basil Edwards, Economic Developer
Mr. Donald Goodman, Chief of Police

Following the Pledge of Allegiance, led by Mayor Brown, and the invocation was led by Chaplin James Henegar.

MINUTE APPROVALS: On a motion by Dr. Harshberger seconded by Mr. Turk, that the minutes for June 13, 2016 are approved as presented.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown
NAYES: None-0

MINUTE APPROVALS: On a motion by Mr. Marshall seconded by Mr. Turk, that the minutes for July 6, 2016 are approved.

Mr. Marshall asked for the clerk to make note that Jack Brockway is the alternated to the appointment to the Resource Authority.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown
NAYES: None-0

OLD BUSINESS:

SUBJECT: Second reading of Ordinance #1681 – Storm Water Management – Illicit Discharge

SUMMARY: The City of adopted Ordinance #1662 in October, 2014 to address regulations associated with the new Virginia Stormwater Management Act. The Act addresses requirements for local stormwater quality plans related to pollution prevention, permitting, record keeping, inspections, public education and enforcement. Staff has been working with the new Virginia Code requirements, as well as the local Ordinance and has been advised by DEQ to address "illicit discharge." The proposed Ordinance #1681 establishes regulations to address uncontrolled discharge of pollutants into the local Municipal Storm System. Elements of the Ordinance include prohibited discharges, inspections and monitoring, as well as enforcement. A

public hearing was held on the proposed ordinance at the April 11, 2016 meeting. First Reading occurred at the June 13, 2016 meeting.

ACTION: Dr. Harshberger made a motion to place Ordinance # 1681 on its second and final reading, seconded by Mr. Marshall.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown

NAYES: None-0

SUBJECT: Second reading of Ordinance #1684 - the Special Use Permit request from East Radford Development Corp.

SUMMARY: East Radford Development Corporation has requested a special use permit for the property located at 702-708 East Main Street, Parcel # 2-(1)-3 and 3A. The developer plans to construct a mixed use development for the site with commercial use on the main floor and residential use on the upper floors. The property is zoned B-2, General Business, and requires a special use permit for the residential component of the mixed use development.

ACTION: Dr. Harshberger made a motion to approve Ordinance #1684 on its second and final reading, seconded by Mr. Gropman.

Mr. Marshall shared that good people can disagree on things and this SUP is no different and he and Mr. Turk have found themselves on the disagreeing end on several Special Use Permit requests, and Mr. Turk will reclude himself because his wife's family has some involvement in the purchase of the land. His concern is with the continued influx of student housing and that we are possibly overbuilding the market. What happens when the other apartments are not being rented? He stated that this particular property is not zoned for this type of housing and needs a special permit to do so. He is not convinced that this is best for the City. He believes we are overdue for a systematic and informative housing study to see if we need more of this type of housing. They keep discussing that we need more single family housing and it's not happening, what do they as a council, need to do to help incentivize the development of single family housing. He believes that there are a lot of questions that need to be answered and doesn't believe this request rises to level of granting a special use permit.

Dr. Harshberger said he understands Mr. Marshall's objections to this, but doesn't agree with him. He shared that a lot of 4 bedrooms apartments have been built for undergraduate students in recent years and Radford University had proposed, in their Master Plan, to build 3 more dorms on the campus, but RU has since decided not to build them and to allow private enterprise to deal with it. In this particular case, these are not 4 bedroom apartments, mainly one and two bedroom with the possibility of a couple 3 bedroom. These are aimed at the graduate students and young professional, who want to live near campus but not within the undergraduates. He believes this is greatly needed within our community.

Mr. Marshall stated he appreciates Dr. Harshbergers comments but will point out that we have approved all Special Use Permits that have been brought before them, with all of them being a 3-2 vote. These apartments will be located where Canton and Cooks Clean Center currently are

located and the proximity to the University leads him to believe the likelihood that this will be mainly for student housing.

Mr. Gropman shared that he has been a pro-growth proponent for many years, even prior to his desire as being a member of council, he believes we need to grow and build and this project will add to our tax base. And hope that some students who have moved into family neighborhoods will move into these apartments and make available the single family housing.

VOTE:

Mr. Gropman	Yes
Dr. Harshberger	Yes
Mr. Marshall	No
Mr. Turk	Abstain
Mayor Brown	Yes

SUBJECT: Council Appointment to Boards and Commissions

SUMMARY: Council agreed on the following slate:

New River Community Services Board	Gropman
NRV Planning District Commission	Marshall
Radford Planning Commission	Turk
Social Services Board of Directors	Marshall
Fire Dept Board of Trustees	Marshall
Fairview District Home Board	Harshberger
New River Valley Economic Development	Brown
VA First Regional Industrial Development	Turk
Chief Elected Official Board	Gropman
City/Univ Joint Advisory Commission	Harshberger
Chamber of Commerce	Harshberger
Radford Heritage Foundation	Harshberger
Highlander Festival Commission	Gropman
Tourism Commission	Harshberger
Recreation Commission	Marshall
CPMT	Turk

ACTION: Mr. Gropman made a motion to approve the slate as presented, seconded by Dr. Harshberger.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown
NAYES: None-0

SUBJECT: Citizen Appointment to Boards and Commissions

SUMMARY: Council agreed on the following slate:

Agency on Aging	Mary Ann Semones
	Sally Anna Stapleton

Beautification Commission	Clyde Kessler
	Pat Fluke

New River Community Action	Gina Rhea
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Radford Economic Alliance	Bruce Chase
	Abram Williams
	Richie Davis

NRV Alcohol Safety	Naomi Huntington
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Library Board	Annyce Levy
	Emma Brockway

Radford Planning Commission	Tracy Howard
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Recreation Commission	Beth Dalton
	John Phillips
	Mark Craig

Peppers Ferry	Doyle Barton
	Robert Asbury (term adjusted)
	Lawrence Rice

Social Services Board	Jenene Lewis
	Gina Rhea

Board of Zoning Appeals	Tracy Howard
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New River Resource Authority	Robert Asbury
	Jack Brockway (alternate)

Western VA EMS Council	Rodney Haywood
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NRV Regional Jail	Gary Young (alternate)
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NRV Economic Alliance	Larry Sams
City/University Joint Commission	Danny Wilson
Tourism	Felicity Taylor
	Chelsea Koonce
	Rachel Doyle

ACTION: Mr. Marshall made a motion to approve the slate as presented, seconded by Mr. Turk.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown

NAYES: None-0

CITIZENS COMMENTS:

Charles Bias, Radford resident, first wanted to thank the council members for the sacrifice they make with their families while serving. He shared that he and his wife moved to Radford 11 months ago, and are very impressed with the schools, the amenities, and the nice sense of community. They have lived overseas for 10 years and feel like they have found their home here. He stated that he understands that there may be the potential of refugees coming to Radford and understands that the decision doesn't rest at this level, but hoped he could share his opinion and when a discussion with the State occurs, it may make a difference. He opposes the notion of refugees coming to Radford, it is his opinion that this direction lacks wisdom. He shared that he has ministered to hundreds of refugees and loves them. But he fundamentally disagrees with our National administrations thoughts as to the wisest ways to help refuges. Has our National Administration wisely increased unity among the conglomerate whole of its citizens or practiced sound economic policy. In his opinion, the administration fails the wisdom test on policy and therefore has no confidence in this administrations intentions to provide policy that will impact his home.

John McCandlish, Radford resident, shared that he has lived in Radford over 30 years and has pastored for many of them. He was here in the 90's when they served the refugees from Kosovo. In his experience, he found that a lot of people came together to make it happen, both the church and non-church, it was a way to bring cohesiveness to this community. He feels the current conversation on refugees is a bit troubling because of its tone. What message are we sending about our community because he always saw it to be a welcoming community? That's a sense he's always had and some of the comments he has seen have been unwelcoming. He said he is not a part of any group who is pro or con, it is just his observation of how this represents our City. If people see Radford as unwelcoming place, they will pass us by and there will be many other communities who will welcome them. He believes we have to be careful of what we say and what we think. There is a lot of work to resettle refuges, and these people who come as refugee, they are here because they are being displaced. His bias is the Lord, and he says, what have you done for the least of these, and as you have done it for the least of these, you have done it to me. He hopes the tenor of the conversation from council is positive, regardless of what the outcome might be.

NEW BUSINESS

SUBJECT: Consider Appropriation Ordinance 1682.01: \$8,384 for Byrne JAG Grant

SUMMARY: The Police Department has been awarded a grant from the Virginia Department of Justice. The grant will be used to purchase body cameras.

ACTION: Mr. Marshall made a motion to place the Appropriation Ordinance 1682.01 on its first reading, Mr. Gropman seconded the motion.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown
NAYES: None-0

ACTION: Mr. Marshall made a motion to dispense with the second and final readings and approve Appropriation 1682.01, Mr. Gropman seconded the motion.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown
NAYES: None-0

SUBJECT: Consider Appropriation Ordinance 1682.02: \$247,450 for Armory roof replacement.

SUMMARY: A recent assessment study identified that the Armory roof is in need of replacement. Bids were received from four firms. Roofing Solutions, Inc. provided the lowest bid.

ACTION: Mr. Marshall made a motion to place the Appropriation Ordinance 1682.02 on its first reading, Dr. Harshberger seconded the motion.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown
NAYES: None-0

ACTION: Mr. Marshall made a motion to dispense with the second and final readings and approve Appropriation 1682.02, Dr. Harshberger seconded the motion.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown
NAYES: None-0

SUBJECT: Award contract to Altec for Digger Derick

SUMMARY: The Electric Department received two bids for the new Digger Derick, Altec provided the lowest bid and meets all the required specifications.

ACTION: Mr. Gropman made a motion to award contract to Altec Industry, Dr. Harshberger seconded the motion.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown
NAYES: None-0

SUBJECT: Consider Appropriation Ordinance 1682.03: \$108,883 for Digger Derick

SUMMARY: A portion of the Digger Derick was programmed into the FY 17 Budget and requires appropriation of the residual.

ACTION: Mr. Marshall made a motion to place the Appropriation Ordinance 1682.03 on its first reading, Mr. Turk seconded the motion.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown
NAYES: None-0

ACTION: Mr. Marshall made a motion to dispense with the second and final readings and approve Appropriation 1682.03, Mr. Turk seconded the motion.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown
NAYES: None-0

SUBJECT: Surplus Equipment – 2005 Digger Derick

SUMMARY: The 2005 Ford Digger Derick, unit #607, valued at \$15,000 will be used for trade in the purchase of the new unit and needs to be declared surplus.

ACTION: Dr. Harshberger made a motion to declare the 2005 Digger Derick as surplus, Mr. Marshall seconded the motion.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown
NAYES: None-0

SUBJECT: Schedule public hearings for amendment to cell tower agreements from

SUMMARY: AT&T Mobility and NCWPCS MPL 30-Year Sites Tower Holding LLC have requested that the City agree to certain proposed lease extensions, amendments, options, and/or modification, to the terms and conditions of an existing Land and Tower Agreements and a public hearing is required.

ACTION: Mr. Turk made a motion to permit City Attorney to schedule public hearing on August 8, 2008, for amendments for AT&T Mobility and NCWPCS MPL 30-Year Sites Tower Holding LLC agreements, Mr. Gropman seconded the motion.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Turk, Mayor Brown

NAYES: None-0

ABSTAIN: Mr. Marshall

SUBJECT: Norwood Parking lot closure for Friday after Five

SUMMARY: Radford Visitor's Center and the Radford Chamber of Commerce would like to partner to host one concert on Friday, August 12th and request to have the Norwood Parking lot closed for the event.

ACTION: Dr. Harshberger made a motion to approve the request to close a portion of Norwood Square Parking Lot on August 12, 2016, Mr. Gropman seconded the motion.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown

NAYES: None-0

CITY MANAGERS COMMENTS: None

CITY COUNCIL COMMENTS:

Mr. Gropman shared that during his campaign he ran on many new ideas, one idea that he believes would have the most impact is the Finders Keepers Program, this program consists of a small finder's fee for a citizen who recruits a business from out of the area to set up in Radford, and at five year intervals if both participants are still within the city receive a 5% rebate of the tax revenue generate. The City would be the first City to pay its citizens to help drive businesses into the City. He asked Mr. Ridpath if he could look into seeing if this is feasible and could he appoint a liaison from staff to help get this going.

Mr. Ridpath responded that he do research on this and get them a report on it.

Dr. Harshberger stated that when he previously served as vice-mayor, he had set some major goals, one of them was to find a way to work with Pulaski County and possibly Montgomery County to expand their water usage, since we have excess capacity. He and Mr. Nicholson worked closely with Pulaski County to work out a water agreement. He also wanted to find a way to get quality child care in Radford and he helped bring in the Radford Early Childhood Education Center. He shared that his major goal now is to find ways to strengthen businesses and industry. He promised to support Mr. Gropman with his ideas and we need to organize and promote a marketing plan.

Mayor Brown thanked the community for Fourth of July Spirit of America celebration. It takes a lot of people to pull it off. He said this has been an informative few weeks, this council has become educated and aware about the refugee resettlement. It is a national issue that impacts the

local community. They are going to work hard to do their homework and make sure those interests are represent and that they have reached out for information and clarity on this matter. He thanked everyone for coming this evening.

Mr. Marshall made a motion to adjourn the meeting at 8:02 p.m., seconded by Mr. Gropman.

VOTE:

AYES: Mr. Gropman, Dr. Harshberger, Mr. Marshall, Mr. Turk, Mayor Brown

NAYES: None-0

ATTEST:

Melissa A. Skelton, Deputy City Clerk of Council



**CITY OF RADFORD
PROCLAMATION**

WHEREAS, the City of Radford and Radford High School has a special and valued tradition in supporting its student-athletes, and

WHEREAS, Radford High School established its Hall of Fame in 2008 and created a committee of Radford citizens to help select the finest members to their Hall of Fame, and

WHEREAS, Radford High School has now inducted 75 student athletes and contributors in to the Hall of Fame, sixteen (16) members in 2008, ten (10) members in 2009, nine (9) members in 2010, seven (7) members in 2011, eight (8) members in 2012, eight (8) members in 2013, nine (9) members in 2014, eight (8) members in 2015, and

WHEREAS the Hall of Fame committee for Radford High School has voted and will induct five (5) new members into the RHS Hall of Fame on August 27, 2016 at the Radford High School Auditorium, and

Class of 2016

Rose Rogers -40's

Tony Dehart-70's

Ervin Butch Whitt-50's

Sheryl "Chris" Garber-80's

Joe Mannon-50's

WHEREAS the Hall of Fame Induction Ceremony takes place the Saturday following the Friday night football game against George Wythe High School, and

NOW THEREFORE, in recognition and celebration of our great student-athletes, **BE IT HEREBY PROCLAIMED** that the week of August 21, 2016 through August 27, 2016 be known as **RADFORD HIGH SCHOOL HALL OF FAME WEEK**, and that Saturday, August 27, 2016 be **RADFORD HIGH SCHOOL HALL OF FAME DAY** and that each honoree be given a copy of this Proclamation as a gesture of the City of Radford's appreciation for their days "on the hill" as a Bobcat.

Bruce E. Brown, Mayor

Adopted: August 8, 2016

**A RESOLUTION OF THE COUNCIL OF THE CITY OF RADFORD, VIRGINIA
SETTING THE ALLOCATION PERCENTAGE FOR PERSONAL PROPERTY TAX
RELIEF FOR QUALIFYING VEHICLES IN THE CITY OF RADFORD FOR THE 2016
TAX YEAR**

WHEREAS, in accordance with the requirements set forth in Section 58.1-3524 (C) (2) and Section 58.1-3912 (E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly and as set forth in item 503.E (Personal Property Tax Relief Program or "PPTRA") of Chapter 951 of the 2005 Acts of Assembly, a qualifying vehicle as defined in Code of Virginia 1950, as amended, §58.1-3523, (a "Qualifying Vehicle"), with a taxable situs within the City commencing January 1, 2014, shall receive personal property tax relief; and,

WHEREAS, this Resolution is adopted pursuant to Ordinance Number 1517 enacted by the Council of the City of Radford on December 12, 2005.

NOW THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF RADFORD, VIRGINIA, as follows:

1. That tax relief shall be allocated so as to eliminate personal property taxation for a Qualifying Vehicle valued at \$1,000 or less.
2. That a Qualifying Vehicle valued at \$1,001-\$20,000 will be eligible for 52% tax relief.
3. That a Qualifying Vehicle valued at \$20,001 or more shall only receive 52% tax relief on the first \$20,000 of value; and
4. That all other vehicles which do not meet the definition of Qualifying Vehicle will not be eligible for any form of tax relief under this program.

5. That the percentages applied to the categories of Qualifying Vehicles are estimated fully to use all available PPTRA funds allocated to the City of Radford by the Commonwealth of Virginia.

This resolution shall be effective from and after the date of its adoption, this 8th day of August, 2016.

_____ made a motion, seconded by _____, to approve the foregoing resolution as presented.

Recorded Vote: Mr. Gropman:
 Dr. Harshberger:
 Mr. Marshall
 Mr. Turk:
 Mayor Brown:

Dr. Bruce Brown, Mayor

ATTEST: _____
 Jennifer G. Wilder, City Clerk

RESOLUTION

WHEREAS, the City of Radford is a member of the New River Resource Authority (the "NRRA"); and

WHEREAS, the Articles of Incorporation of the NRRA provide that the NRRA may, with the consent of all member jurisdictions, enter into contracts with other political subdivisions; and

WHEREAS, the Agreement of expansion of the NRRA dated April 14, 1998 (the "Agreement") provided that the NRRA is to be utilized only for the disposal of waste in the member jurisdictions and only such areas outside of those geographical limits as the governing bodies of the member jurisdictions may agree; and

WHEREAS, the Roanoke Valley Resource Authority (the "RVRA") has proposed to contract with the NRRA for the acceptance by NRRA of non-hazardous solid waste from RVRA on a temporary basis in the event of an unexpected emergency and will offer a reciprocal acceptance of such waste from the NRRA, in the event of an unexpected emergency affecting the NRRA, on a temporary basis; and

WHEREAS, pursuant to the above provisions of the Articles of Incorporation and Agreement, the consent of all member jurisdictions of the NRRA is required for approval of such contracts; and

WHEREAS, the NRRA desires to amend the User Agreement to allow for such reciprocal emergency contracts to include an agreement to provide emergency assistance to the RVRA; and

WHEREAS, the NRRA also desires to amend the User Agreement to allow the NRRA to accept waste from other political subdivisions outside the geographical limits of the member jurisdictions on a temporary basis upon the occurrence of an unexpected emergency, without the requirement of the separate consent of all member jurisdictions of the NRRA, since such emergency situations, by definition, would not permit sufficient time for the consent of all member jurisdictions to be obtained in such time as to provide emergency assistance to other political subdivisions.

NOW THEREFORE, BE IT RESOLVED that:

1. The NRRA is hereby permitted to contract with the RVRA for the acceptance of municipal solid waste in the event of an unexpected emergency under such terms and conditions as the NRRA and the RVRA may agree, **provided that the agreement is reciprocal**¹; and

¹ That is, in case of an emergency, NRRA has the same temporary use of the RVRA's disposal facilities and at the same rates as NRRA is granting to RVRA.

2. The City of Radford hereby approves the Fourth Amendment to the User Agreement in the form attached hereto as Attachment A, **which includes the requirement of reciprocity²**. The City Manager is authorized to execute the Fourth Amendment.

3. This Resolution shall take effect immediately.

4. The City Manager is authorized to take such further actions and execute additional documents as may be needed to implement and administer such Fourth Amendment, and such additional documents, if any, are to be approved as to form by the City Attorney.

This Resolution shall be effective as of the date of its adoption on this _____ day of August, 2016.

A motion to approve the foregoing Resolution was made by _____, and seconded by _____.

VOTE:

Mr. Gropman:
Dr. Harshberger:
Mr. Marshall:
Mr. Turk:
Mayor Brown:

Dr. Bruce E. Brown, Mayor

ATTEST: _____
Jennifer G. Wilder, City Clerk

² That is, in case of an emergency, NRRA has the same temporary use of the other locality's/entity's disposal facilities and at the same rates as NRRA is granting to such locality/entity.

**FOURTH AMENDED USER AGREEMENT
OF
NEW RIVER RESOURCE AUTHORITY
FOR AUTHORITY MEMBERS**

This Amendment made and executed as of the _____ day of _____, 2016, by and between the New River Resource Authority (hereinafter referred to as "the Authority"), an authority created and organized under the provisions of the Virginia Water and Waste Authorities Act, Title 15.2, Chapter 51, Code of Virginia, 1950, as amended (hereinafter referred to as "the Act"), of the first part; and the Town of Dublin (hereinafter "Dublin"), the Montgomery Regional Solid Waste Authority (hereinafter "Montgomery Regional"), the County of Pulaski (hereinafter "Pulaski"), the City of Radford (hereinafter "Radford") and the County of Giles (hereinafter "Giles"); of the second part, hereinafter sometimes collectively referred to as "Users."

BACKGROUND

1. The Authority is an existing Authority created under the Act. The original incorporating jurisdictions were Dublin, Pulaski and Radford.
2. By Articles of Amendment to the Articles of Incorporation, by Agreement for the Expansion of the Authority and by an Amended User Agreement dated July 12, 1997, Montgomery Regional became a member of the Authority. By Articles of Amendment to the Articles of Incorporation dated as of July 1, 1998, by Agreement for Expansion of the Authority and by the Amended User Agreement, Giles became a member of the Authority as a result of which the membership of the Authority is now composed of the Town of Dublin, Pulaski County, the City of Radford, Montgomery Regional, and Giles. A subsequent amendment to the User Agreement was made on July 27, 2004, which was styled "Second Amendment" to add an

additional waste stream from Glen Lyn, Virginia. The Amendment labelled as the "Second Amended User Agreement" was actually the third amendment to the User Agreement.

Accordingly, this Amendment shall be styled "the Fourth Amended User Agreement."

3. The Authority is authorized by its Articles of Incorporation and by its Bylaws to enter into contracts with other non-member, non-User political subdivisions to provide garbage and refuse collection or disposal services or both, upon terms and conditions established by the Authority with the approval of the political subdivisions of the members.

4. The User Agreement, as Amended, specifically provides that "[T]he geographical scope of its purposes and activities shall be deemed to contemplate their exercise within the city of Radford, Pulaski County, Montgomery County, and Giles County (including the Towns, Government owned facilities, and State Educational Institutions located in Montgomery County, Pulaski County and the City of Radford)."

5. The Authority has received a proposal and draft contract from the Roanoke Valley Resource Authority to enter into a reciprocal agreement with the Authority to permit the temporary disposal of non-hazardous municipal solid waste at and through each other's facilities in the event of unforeseen emergency circumstances that would shut down or render the Roanoke Valley Resource Authority's waste disposal facilities inoperable.

6. The Authority desires to Amend its User Agreement to (1) permit the Authority to enter into the proposed agreement with the Roanoke Valley Resource Authority; and (2) permit similar emergency agreements with other public entities within the Commonwealth of Virginia but outside the geographic scope of its purposes as previously defined in the User Agreement without the requirement of obtaining approval from each political subdivision, since the time

required to obtain such approval would eliminate the ability of the Authority to quickly respond to emergency situations faced by other public entities within the Commonwealth, as needed.

7. This Amendment is in the public interest and is appropriate to protect the public health safety and welfare.

AMENDMENT

NOW THEREFORE, the parties agree as follows:

1. The Amended User Agreement is hereby amended to permit the Authority to accept waste outside of the geographic scope of its purposes without the requirement of obtaining approval from each political subdivision under the following circumstances:

The Authority is authorized to enter into agreements with other public entities within the Commonwealth of Virginia, specifically to include but not be limited to, the Roanoke Valley Resource Authority, to provide the temporary use of the Authority's disposal facilities for the deposit of non-hazardous waste when an unforeseen emergency circumstance causes the entity's waste disposal facilities to be shut down or rendered inoperable due to an unforeseen emergency circumstance, **provided that all such agreements are reciprocal, that is, in case of an emergency, the Authority has the same temporary use of the other locality's/entity's disposal facilities and at the same rates as the Authority is granting to such locality/entity.**

Examples of unforeseen emergencies contemplated by this Amendment include, but are not limited to an act of God, storm, flood, landslide, earthquake, fire, war, environmental incident, operational problems or the order or judgment of any local, state or federal court, administrative agency, officer or body.

2. All other terms, conditions, obligations and provisions set forth in the Amended User Agreement that are not specifically amended hereby shall remain in full force and effect and are incorporated herein by reference.

Witness the following signatures and seals:

NEW RIVER RESOURCE AUTHORITY

DATE: _____ By: _____
Chairman

(SEAL)

Attest:

Secretary

TOWN OF DUBLIN, VIRGINIA

DATE: _____ By: _____
Mayor

(SEAL)

Attest:

Clerk

MONTGOMERY REGIONAL SOLID WASTE
AUTHORITY

DATE: _____ By: _____
Chairman

(SEAL)

Attest:

Secretary

COUNTY OF PULASKI, VIRGINIA

DATE: _____ By: _____
Chairman of Board of Supervisors

(SEAL)

Attest:

Clerk

CITY OF RADFORD, VIRGINIA

DATE: _____ By: _____
David C. Ridpath, City Manager

(SEAL)

Attest:

City Clerk

Approved as to Form:

Gail Cook DeVilbiss
Radford City Attorney

COUNTY OF GILES, VIRGINIA

DATE: _____ By: _____
Chairman of Board of Supervisors

(SEAL)

Attest:

Secretary

NOTICE OF PUBLIC HEARING

CITY OF RADFORD

Notice is hereby given that the Radford City Council will hold two (2) separate public hearings at its meeting on Monday, August 8, 2016, at 7:00 p.m., in the City Council Chambers located at 10 Robertson Street, Radford, Virginia, pursuant to Code of Virginia, for the purposes of receiving public input on two (2) separate proposed lease amendment requests being considered for passage, as follows:

A request by AT&T Mobility, successor in interest to Triton PCS Property Company, L.L.C., proposing the City agree to certain proposed lease extensions, amendments, options, and/or modifications, of the terms and conditions of an existing Land and Tower Agreement dated February 13, 2001, between the City of Radford, and Triton PCS Property Company, L. L. C., for an existing sitting cell tower and communication facility site at 420 Prospect Street, Radford, Virginia, located upon a portion of City owned property identified as Tax Map Number 5-(1)-83; Tax ID 030000043. Cell Site No. RO334.

A request from NCWPCS MPL 30-Year Sites Tower Holding LLC, a Delaware limited liability company, successor in interest to Triton PCS Property Company, L.L.C., by CCATLLC, a Delaware limited liability company, by its Attorney in Fact, proposing the City agree to certain proposed lease extensions, amendments, options, and/or modification, to the terms and conditions of an existing Land and Tower Agreement, dated July 16, 2001, between the City of Radford, and Triton PCS Property Company, for an existing sitting cell tower and communication facility site on Lot 12, Cumberlea Subdivision, Radford, Virginia, located upon a portion of City owned property identified as Tax Map Number: 25-(3)-12; Tax ID 030000276. Cell Site No. RO-T-335.

Copies of the proposed requests to the City are available in the office of the City Manager, located at 10 Robertson Street, Radford, Virginia 24141, and on the City's website at www.radfordva.gov.

Interested persons may appear at the aforementioned time and place to present their views and comments.

For individuals who may require special auxiliary aids or services, reasonable accommodations will be made available by the City of Radford upon request five business days before the public hearing. For disable accommodations or additional information, please contact the City Manager's office at (540) 731-3603 or (800) 828-1120 (TTD-Virginia Relay Center).

Authorized by Radford City Council.



April 25, 2016

City of Radford
Attn: Melissa Skelton

Re: Communications Facility located at 420 PROSPECT STREET, RADFORD, VA 24141

Contract #: 44038 / FA#: 10068167

Dear Landlord,

As you are aware, AT&T Mobility (“AT&T”) has partnered with Md7 to work with you to facilitate certain modifications to the cell site lease on your property. These modifications will allow AT&T to meet current business requirements and enhance your site’s value to the network.

Changes in the Wireless Industry

Recent industry developments are changing how wireless telecommunications carriers operate. In the past, carriers focused on rapidly building out their networks in order to provide the best coverage. Today, while consumers are enjoying greater services and better coverage than ever before, operating costs continue to escalate. As a result, the wireless industry is also focusing on operating networks as efficiently as possible.

Eliminating Risk and Increasing Value

AT&T is addressing this shift by reviewing its cell site portfolio. AT&T has partnered with Md7 to offer selected landlords like you the opportunity to minimize the business risks associated with industry uncertainties and to increase the value of your cell site lease.

Criteria for Cellular Site Retention/Rent Guarantee Period

AT&T is willing to offer the following option to secure a longer-term lease with you:

- **\$1,700.00** per month, commencing **July 1, 2016**
- **10%** rent increase every 5 years, commencing **July 1, 2021**
- Extension of Lease through **June 30, 2046**

Or

- Provide a one-time lump sum payment of **\$228,450.00**. In return, you will grant a ninety-nine (99) year easement on your property and assign the lease rights and rental income under your lease with AT&T to Md7 or an affiliate of Md7. It is important for you to know that the **\$228,450.00** pre-payment does not change the ownership or control of the rest of your property in any manner.

In order to maintain its long-term flexibility, AT&T will also require the following lease provisions to address future technological and network changes:

- **Expansion of Permitted Use**

“Lessee, its personnel, invitees, contractors, agents, sublessees, or its authorized sublessees, or assigns may use the Premises, at no additional cost or expense, for the transmission and reception of any and all communications signals and to modify, supplement, replace, upgrade, expand, including but not limited to the number and type(s) of antennas, or refurbish the equipment and/or improvements thereon, or relocate the same within the Premises at any time during the term of this Lease for any reason, or in order to be in compliance with any current or future federal, state or local mandated

application, including but not limited to emergency 911 communication services or for any other reason. Lessor shall reasonably cooperate in obtaining governmental and other use permits or approvals necessary or desirable for the foregoing permitted use. If Lessor does not comply with the terms of this section, in addition to any other rights it may have at law, Lessee may terminate this Lease and shall have no further liability to Lessor. If Lessor does not comply with the terms of this section, Lessee will have the right to exercise any and all rights available to it under law and equity, including the right to cure Lessor's default and to deduct the costs of such cure from any monies due to Lessor from Lessee."

- Expansion of the Premises

"Lessor grants, to the extent practicable and on a space available basis, the Lessee the right to enlarge the Premises or the Lessor shall make space available on the Property for Lessee so that Lessee or its authorized sublessees may implement any necessary modifications, supplements, replacements, refurbishments, or expansions to the Communications Facility or to any equipment related thereto, or for any other reasons, as determined by Lessee in its sole discretion. Should Lessee exercise the right to expand the Premises, Lessee will pay and Lessor will accept as additional Rent under the Lease an amount equal to the then current rent calculated on a per square foot basis as multiplied by each additional square foot added to the Premises. Upon notice to Lessor, a description and/or depiction of the modified Premises ground will become part of the Lease without any additional action on the part of Lessee and Lessor; however, at the request of Lessee, the parties will execute a Memorandum of Lease in recordable form memorializing the modification of the ground space of Property, which either party may record at its option."

- Rental Stream Offer

"If at any time after the date of this Amendment, Lessor receives a bona fide written offer from a third party seeking an assignment or transfer of the Rent payments associated with the Agreement ("**Rental Stream Offer**"), Lessor shall immediately furnish Lessee with a copy of the Rental Stream Offer. Lessee shall have the right within ninety (90) days after it receives such copy to match the Rental Stream Offer and agree in writing to match the terms of the Rental Stream Offer. Such writing shall be in the form of a contract substantially similar to the Rental Stream Offer. If Lessee chooses not to exercise this right or fails to provide written notice to Lessor within the ninety (90) day period, Lessor may assign the right to receive Rent payments pursuant to the Rental Stream Offer, subject to the terms of this Agreement. If Lessor attempts to assign or transfer Rent payments without complying with this Section, the assignment or transfer shall be void. Lessee shall not be responsible for any failure to make payments under this Agreement and reserves the right to hold payments due under this Agreement until Lessor complies with this Section."

This letter of understanding is subject in all respects to the preparation, execution and delivery of a definitive amendment in form and substance mutually agreeable to each of us. This letter will not be legally binding between us with respect to the proposed business relationship, but instead serves as a statement of our mutual intent to work toward entering into such an amendment.

AT&T values its affiliation with you and hopes to continue a long and mutually profitable relationship in the years to come. After having reviewed these options, please contact me prior to May 2, 2016.

Thank you for your consideration.

Sincerely,

Parker Schroeder

Md7 | Lease Consultant
10590 West Ocean Air Dr.
San Diego, CA 92130

o (858) 799-0341

f (858) 430-2528

pschroeder@md7.com

Authorized Agent for AT&T Mobility

cc: Gregory D. Ohmer

Area Manager Real Estate Transaction, AT&T Mobility





August 3, 2016

City of Radford
Attention: Melissa Skelton
619 Second Street
Radford, VA 24141
(540) 731-5530

**RE: Business Unit # 842568
Site Name RO-T-335**

Dear City of Radford:

This letter agreement ("Letter Agreement") sets forth the terms of the agreement that is to be memorialized between NCWPCS MPL 30 - Year Sites Tower Holdings LLC, a Delaware limited liability company, by CCATT LLC, a Delaware limited liability company, its Attorney in Fact ("Lessee") and City of Radford ("Lessor"), to modify, among other things, the length of the term in the lease agreement between the Lessor and Lessee dated July 16, 2001, as may be amended ("Lease") for property located in Radford City County, VA ("Property").

For and in consideration of Fifty Dollars (\$50.00) to be paid by Lessee to Lessor within 30 days after full execution of this Letter Agreement, the parties agree as follows:

1. Lessor and Lessee will enter into an amendment to the Lease ("Lease Amendment") wherein the term of the Lease will be modified. The Lease currently provides, in section 9 that there is one (1) remaining renewal term of five (5) years. That Lease section will be amended to provide that the remaining term of the Lease will be five (5) renewal terms of five (5) years each. The new final Lease expiration date will be July 31, 2041.

2. In addition to the modification described above, the Lease Amendment will further modify the Lease

2a. Lessee agrees to pay Lessor the sum of Six Thousand and No/100 Dollars (\$6,000.00) for executing and delivering the Letter Agreement to Lessee by no later than August 15, 2015 and executing and delivering the Lease Amendment to Lessee within ten (10) days of receipt of the executable document(s) (the "Expedite Fee"). Lessor understands time is of the essence and if the signed Lease Amendment is not delivered to Lessee within the specified time period, Lessor forfeits the Expedite Fee. Lessor further agrees that if the Lease Amendment is not fully executed for any reason, Lessor forfeits the Expedite Fee. The Expedite Fee is a one-time payment due and payable within sixty (60) days of the full execution of the Lease Amendment.

2b. If Lessor receives an offer from any person or entity that owns towers or other wireless telecommunications facilities (or is in the business of acquiring Lessor's interest in the Lease) to purchase fee title, an easement, a lease, a license, or any other interest in the lease area, or Lessor's interest in the Lease, or an option for any of the foregoing, Lessor shall provide written notice to Lessee of said offer, and Lessee shall have a right of first refusal to acquire such interest on the same terms and conditions in the offer, excluding any terms or conditions which are (i) not imposed in good faith or (ii) directly or indirectly designed to defeat or undermine Lessee's possessory or economic interest in the Property. Lessor's notice shall include the prospective buyer's name, the purchase price and/or other consideration being offered, the other terms and conditions of the offer, the due diligence period, and the proposed closing date. If the Lessor's notice shall provide for a due diligence period of less than sixty (60) days, then the due diligence period shall be extended to be sixty (60) days from exercise of the right of first refusal and closing shall occur no earlier than fifteen days thereafter. If Lessee does not exercise its right of first refusal by written notice to Lessor given within thirty (30) days, Lessor may convey the property as described in the Lessor's notice. If Lessee declines to exercise its right of first refusal, then the Lease shall continue in full force and effect and Lessee's right of first refusal shall survive any such conveyance. Lessee shall have the right, at its sole discretion, to assign the right of first refusal to any person or entity, either separate from an assignment of the Lease or as part of an assignment of the Lease. Such assignment may occur either prior to or after Lessee's receipt of Lessor's notice and the assignment shall be effective upon written notice to Lessor.

3. Furthermore, the Lease Amendment will modify the Lease to provide that if requested by Lessee, Lessor will execute, at Lessee's sole cost and expense, all documents required by any governmental authority in connection with any development of, or construction on, the Property, including documents necessary to petition the appropriate public bodies for certificates, permits, licenses and other approvals deemed necessary by Lessee to utilize the Property for the purpose of constructing, maintaining and operating communications facilities. Lessor will agree to be named applicant if requested by Lessee. In furtherance of the foregoing, Lessor will appoint Lessee as Lessor's attorney-in-fact to execute all land use applications, permits, licenses and other approvals on Lessor's behalf.

4. Lessor shall cooperate in all ways, including but not limited to providing information, signing documents and seeking execution by third parties of documents that will remove, subordinate or satisfy any mortgages, deeds of trusts, liens or other encumbrances affecting the Property.

5. Upon receipt of this Letter Agreement evidencing Lessor's acceptance of the terms herein, Lessee shall submit this Letter Agreement to its property committee. If the Letter Agreement is approved by the property committee, Lessee shall prepare a Lease Amendment that incorporates the terms and conditions described in this Letter Agreement. In connection therewith, the parties acknowledge and agree that this Letter Agreement is intended to summarize the terms and conditions to be included in the Lease Amendment. Upon receipt of the Lease Amendment, Lessor hereby agrees to execute the Lease Amendment without any unreasonable delay.

6. Irrespective of whether the transaction contemplated by this Letter Agreement is consummated, Lessor and Lessee each will pay its own out-of-pocket expenses.

7. Notwithstanding anything to the contrary contained herein, Lessee has the complete right to terminate this Letter Agreement for any or no reason at any time prior to full execution of the Lease Amendment, without damages.

8. Lessor represents and warrants that Lessor is duly authorized and has the full power, right and authority to enter into this Letter Agreement and to perform all of its obligations under this Letter Agreement and to execute and deliver all documents, including but not limited to the Lease Amendment, required by this Letter Agreement. From the date of this Letter Agreement through the date that Lessor executes the Lease Amendment, Lessor shall use its best efforts to ensure that the foregoing representations and warranties shall remain true and correct and Lessor shall promptly notify Lessee if any representation or warranty is or possibly may not be true or correct. Lessor's representations, warranties and covenants shall survive following the full execution of the Lease Amendment.

If this Letter Agreement accurately sets forth our understanding regarding the foregoing, please so indicate by signing and returning to the undersigned the enclosed copy of this letter.

Lessor:
City of Radford

Lessee:
NCWPCS MPL 30 – Year Sites Tower Holdings LLC,
a Delaware limited liability company

By: CCATT LLC,
a Delaware limited liability company
its Attorney in Fact

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

**City of Radford, VA
City Council Action Form**

Date for Council consideration: August 8, 2016

Title: Haz Mat Team Equipment purchase

Background Information:

The Haz Mat Team coverage area consists of the following Cities and Counties; City of Radford, Pulaski, Wythe, Giles, Bland, Floyd, Montgomery and Tazewell Counties. The team consists of members from the different county and town within our coverage area.

Action Requested:

Allocate \$22,500.00 to purchase a PTO Generator and install on the new box truck.

Pros and Cons/Financial Implications:

Pros: The PTO generator will allow night time incident scenes to be well illuminated and eliminate injuries due to poor lighting.

Cons: Members of the team will be required to carry handheld flashlights and this can be difficult and cumbersome and may led to injuries.

Financial impact on the department and City:

No City funds will be utilized in the purchase of this equipment.

**City of Radford, VA
City Council Action Form**

Date for Council consideration: 8/8/16

CDBG

Background Information:

The City of Radford has received CDBG funds since 2004. This year's allocation from HUD is \$141,886 plus a rollover from previous year (\$36,181). Council approved the 2016 Action Plan on May 9, 2016 to include the following projects:

Planning & Administration

W. Main Street sidewalk and lighting

Neighborhood Beautification

Emergency Home Repair

Repayment of Section 108

Sunset Park Playground

Sub-Recipient Support (NRCA, Women's Resource Center, Beans & Rice, Radford Clothing Bank, Bobcat Backpack Program)

Action Requested:

To appropriate the funds in accordance with AO 1682.05.

Pros and Cons/Financial Implications:

Pros: This funding allows us to continue targeting the low-to-moderate income population and remove slum and blight in our community.

Cons: N/A

Financial impact on the department and City: These funds do not require a match and allows us to do projects that the City would not otherwise be able to afford.

APPROPRIATION ORDINANCE

Ordinance Number: **1682.05**
 1st Reading: **August 8, 2016**
 2nd Reading:

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1682, THE CITY OF RADFORD, VIRGINIA ANNUAL BUDGET FOR THE FISCAL YEAR 2016-2017 AND APPROPRIATE THE SUM OF \$148,886 FOR:

PY2016 CDBG ALLOCATION

Be it ordained by the Council of the City of Radford, Virginia that Ordinance Number 1682 identifying the revenue and expenditure accounts of the City of Radford contained in the annual budget for the fiscal year 2016-2017 is hereby amended and funds are herewith appropriated or adjusted as presented. Be it furthered ordained that an emergency exists and this Ordinance shall be in full force and effect from the date of its passage.

FUND	DEPARTMENT	CODE	ACCOUNT DESCRIPTION	REVENUES		EXPENDITURES	
				Increase	Decrease	Increase	Decrease
GRANTS	FED CAT AID	20133-332100-G8467	2016 HUD CDBG GRANT	\$ 147,886			
GRANTS	PROGRAM ADMIN	2018426-403170-G8501	OTHER PROFESSIONAL SERVICES			\$ 24,000	
GRANTS	PROGRAM ADMIN	2018426-403600-G8501	ADVERTISING			\$ 1,000	
GRANTS	WRC	2018426-405697-G8506	GRANTS AWARDED			\$ 7,500	
GRANTS	BEANS&RICE	2018426-405697-G8503	GRANTS AWARDED			\$ 7,500	
GRANTS	NRCA	2018426-405697-G8504	GRANTS AWARDED			\$ 4,000	
GRANTS	RADFORD CLOTHING BANK	2018426-405697-G8512	GRANTS AWARDED			\$ 1,575	
GRANTS	BACKPACK PROGRAM	2018426-405697-G8522	GRANTS AWARDED			\$ 1,575	
GRANTS	SECTION 108 LOAN	2018426-408110-G8511	REDEMPTION OF PRINCIPAL			\$ 28,000	
GRANTS	SECTION 108 LOAN	2018426-408120-G8511	INTEREST ON DEBT			\$ 6,826	
GRANTS	SUNSET PARK PLAYGROUND	2018426-408136-G8523	RECREATION EQUIPMENT			\$ 30,000	
GRANTS	BEAUTIFICATION	2018426-403171-G8506	LAWN & LANDSCAPING SERVICE			\$ 15,000	
GRANTS	EMERGENCY HOME REPAIR	2018426-403310-G8521	REPAIRS & MAINTENANCE SERVICES			\$ 20,910	
			Totals	\$ 147,886	\$ -	\$ 147,886	\$ -

In Balance

The recorded roll call vote was as follows:

FIRST READING: August 8, 2016
 VOTE:

Mr. Gropman _____
 Dr. Harshberger _____
 Mr. Marshall _____
 Mr. Turk _____
 Mayor Brown: _____

SECOND READING:
 VOTE:

Mr. Gropman _____
 Dr. Harshberger _____
 Mr. Marshall _____
 Mr. Turk _____
 Mayor Brown: _____

MOTION:
 SECOND:

MOTION:
 SECOND:

ATTEST: Jennifer G. Wilder, City Clerk

**City of Radford, VA
City Council Action Form**

Date for Council consideration: 8/8/16

Victim/Witness Assistance Grant

Background Information:

The Victim/Witness Program provides comprehensive Victim/Witness services to victims of all felony and misdemeanor crimes. The program has served the citizens of Radford and Floyd for over 20 years. As a victim advocate, the program strives to ensure that victims have the opportunity to make courts aware of the full impact of crime, that victims are treated with dignity and respect while maintaining their rights to privacy, to inform them of the Victims Bill of Rights, and most importantly that the victims are heard at all critical stages of the criminal justice process. Previously this grant subcontracted with the Women's Resource Center to cover domestic violence and sexual assault victims in Radford and Floyd. To be more efficient and better serve victims of crime the grant will no longer subcontract with the WRC. The grant hired a part time position that serves victims in Floyd County 3.5 days a week. During FY 2015, the Victim-Witness Program served approximately 450 victims.

Action Requested:

We ask that City Council accept the grant per the conditions set forth in the Statement of Grant Award and to appropriate the funds in accordance with appropriation ordinance #1682.06.

Pros and Cons/Financial Implications:

Pros: The Victim/Witness Program can continue to serve the citizens of Radford and Floyd through their experience with the criminal justice system by providing services that educate, support and aid in successful prosecution to keep our City safe. The program is an important asset to law enforcement, Commonwealth's Attorney and courts as well as to our citizens.

Cons: N/A

Financial impact on the department and City: The Victim/Witness Program is 100% state funded with no match required by the City. The Victim/Witness Program continues to provide services to the citizens of Radford without requesting any financial support from the City.

APPROPRIATION ORDINANCE

Ordinance Number: 1682.06
1st Reading: August 8, 2016
2nd Reading:

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1682, THE CITY OF RADFORD, VIRGINIA ANNUAL BUDGET FOR THE FISCAL YEAR 2016-2017 AND APPROPRIATE THE SUM OF \$126,873 FOR:

Be it ordained by the Council of the City of Radford, Virginia that Ordinance Number 1682 identifying the revenue and expenditure accounts of the City of Radford contained in the annual budget for the fiscal year 2016-2017 is hereby amended and funds are herewith appropriated or adjusted as presented. Be it furthered ordained that an emergency exists and this Ordinance shall be in full force and effect from the date of its passage.

FUND	DEPARTMENT	CODE	ACCOUNT DESCRIPTION	REVENUES		EXPENDITURES	
				Increase	Decrease	Increase	Decrease
GRANTS	VA CAT AID	20124-324106-G2191	CRIME VICTIM ASSISTANCE	\$ 31,718			
GRANTS	FED CAT AID	20133-	CRIME VICTIM ASSISTANCE	\$ 85,155			
GRANTS	VICTIM WITNESS	2012191-401100-G2191	FULL TIME SALARIES AND WAGES			\$ 81,000	
GRANTS	VICTIM WITNESS	2012191-402100-G2191	FICA TAX			\$ 6,197	
GRANTS	VICTIM WITNESS	2012191-402210-G2191	RETIREMENT-VRS			\$ 8,837	
GRANTS	VICTIM WITNESS	2012191-402211-G2191	VRS RETIREE HEALTH INSURANCE			\$ 243	
GRANTS	VICTIM WITNESS	2012191-402300-G2191	HOSPITAL/MEDICAL INSURANCE			\$ 19,722	
GRANTS	VICTIM WITNESS	2012191-402400-G2191	GROUP LIFE INSURANCE			\$ 1,061	
GRANTS	VICTIM WITNESS	2012191-402700-G2191	WORKERS' COMP INSURANCE			\$ 67	
GRANTS	VICTIM WITNESS	2012191-403500-G2191	PRINTING AND BINDING			\$ 1,200	
GRANTS	VICTIM WITNESS	2012191-404500-G2191	RISK MANAGEMENT			\$ 708	
GRANTS	VICTIM WITNESS	2013191-405210-G2191	POSTAL SERVICES			\$ 300	
GRANTS	VICTIM WITNESS	2012191-405230-G2191	TELECOMMUNICATIONS			\$ 70	
GRANTS	VICTIM WITNESS	2012191-405540-G2191	CONFERENCES & EDUCATION			\$ 4,768	
GRANTS	VICTIM WITNESS	2012191-405810-G2191	DUES & MEMBERSHIPS			\$ 200	
GRANTS	VICTIM WITNESS	2012191-406001-G2191	OFFICE SUPPLIES			\$ 1,500	
GRANTS	VICTIM WITNESS	2012191-406107-G2191	COMPUTER EQUIPMENT & SOFTWARE			\$ 1,000	
Totals				\$ 126,873	\$ -	\$ 126,873	\$ -

In Balance

The recorded roll call vote was as follows:

FIRST READING: August 8, 2016
 VOTE:

Mr. Gropman _____
 Dr. Harshberger _____
 Mr. Marshall _____
 Mr. Turk _____
 Mayor Brown: _____

SECOND READING:
 VOTE:

Mr. Gropman _____
 Dr. Harshberger _____
 Mr. Marshall _____
 Mr. Turk _____
 Mayor Brown: _____

MOTION:
 SECOND:

MOTION:
 SECOND:

ATTEST: Jennifer G. Wilder, City Clerk

**City of Radford, VA
City Council Action Form**

Date for Council consideration: 08/8/2016

Background Information:

Request for funds to be appropriated from State Asset Forfeiture.

Action Requested:

For Council to appropriate the above mentioned funds to be made available for use throughout the year as needed. The amount \$38,912.00.

Pros and Cons/Financial Implications:

Pros: To increase the funds available for police purchases, drug investigations and repairs as needed.

Cons: None.

Financial impact on the department and City:

None, due to funds being from State Asset Forfeiture.

Scott Hill
206 W Main Street
Radford VA 24141
(540) 239-7099
scott@nrvmailbox.com

July 21, 2016

Mr. Jay Eanes
Engineering Technician
City of Radford
10 Robertson Street
Radford VA 24141

Re: Alley/Right-of-Way Vacation Request
60ft x 140 ft – Henry Street Unimproved

Dear Mr. Eanes:

I am writing to request the vacation of the unimproved area next to the property that I own at 1312 4th Street, Radford, VA. The property I own consists as two lots and is also shown in the tax records as 14-(14)-SEC 21-5A and 14-(14)-SEC21-5.

I purchased the property/lots in November 2015. When I purchased the property there was a single family vacant dwelling on the property that was in total disrepair that had no value, no realistic chance of renovation, and needed to be torn down. The house was torn down in December 2015.

The initial reason for requesting the vacancy of the unimproved area is that it is preferable that I obtain additional land to add to the lot that I own in order to increase the size of the my lots street frontage. Currently the lot I own is an L shaped lot with the majority of the property being at the rear of the property and the street frontage width being 40ft.

Ideally I'd prefer to be able to obtain the entire vacated area of 60 ft x 140 ft in order to be able to have the entire 100 ft of street frontage. If I were able to have this much street frontage my plan would be to either separate the lots in a way to create two buildable lots and build either two single family dwelling or one duplex style family dwelling.

It is my understanding that by State code, the City can option to offer, after going through the proper legal process, for sale the entire requested vacated area to the

person making the request or offer half of the property to the requesting property owner and half the property to the adjoining property owner. As stated above I would prefer to obtain the entire 60 ft x 140 ft if that is possible.

I made several attempts to contact the adjoining property owner, Roger Hamilton, in order to discuss my desire to obtain the entire property and to see if he had objections. I was able to discuss it with his daughter, Christy Hedge, in the initial conversation but was unable to get return phone calls after that.

The adjoining property owner is Roger A Hamilton. I believe the property address is listed as 1504 4th Street, Radford VA. The tax map reference is 14-(7)-SEC22-21-22.

I have attached a survey and copies of the GIS maps for reference. If additional information is needed please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Hill", with a stylized flourish at the end.

Scott Hill

Radford City Web Map

Exhibit #2



Real Estate Radford Transit Recreation Trash Routes Adopt-A-Spot Zoning Districts

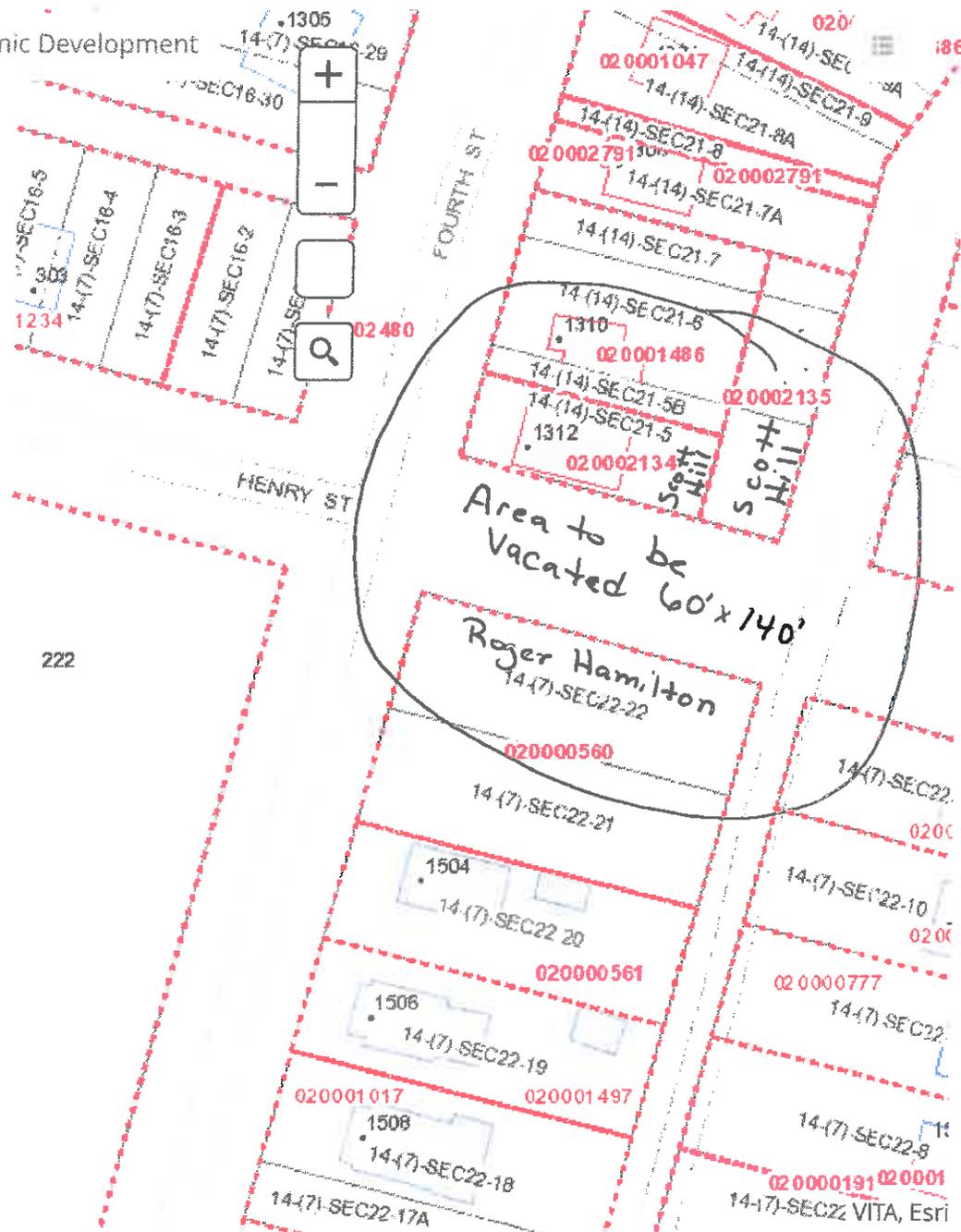
Voting Districts Economic Development

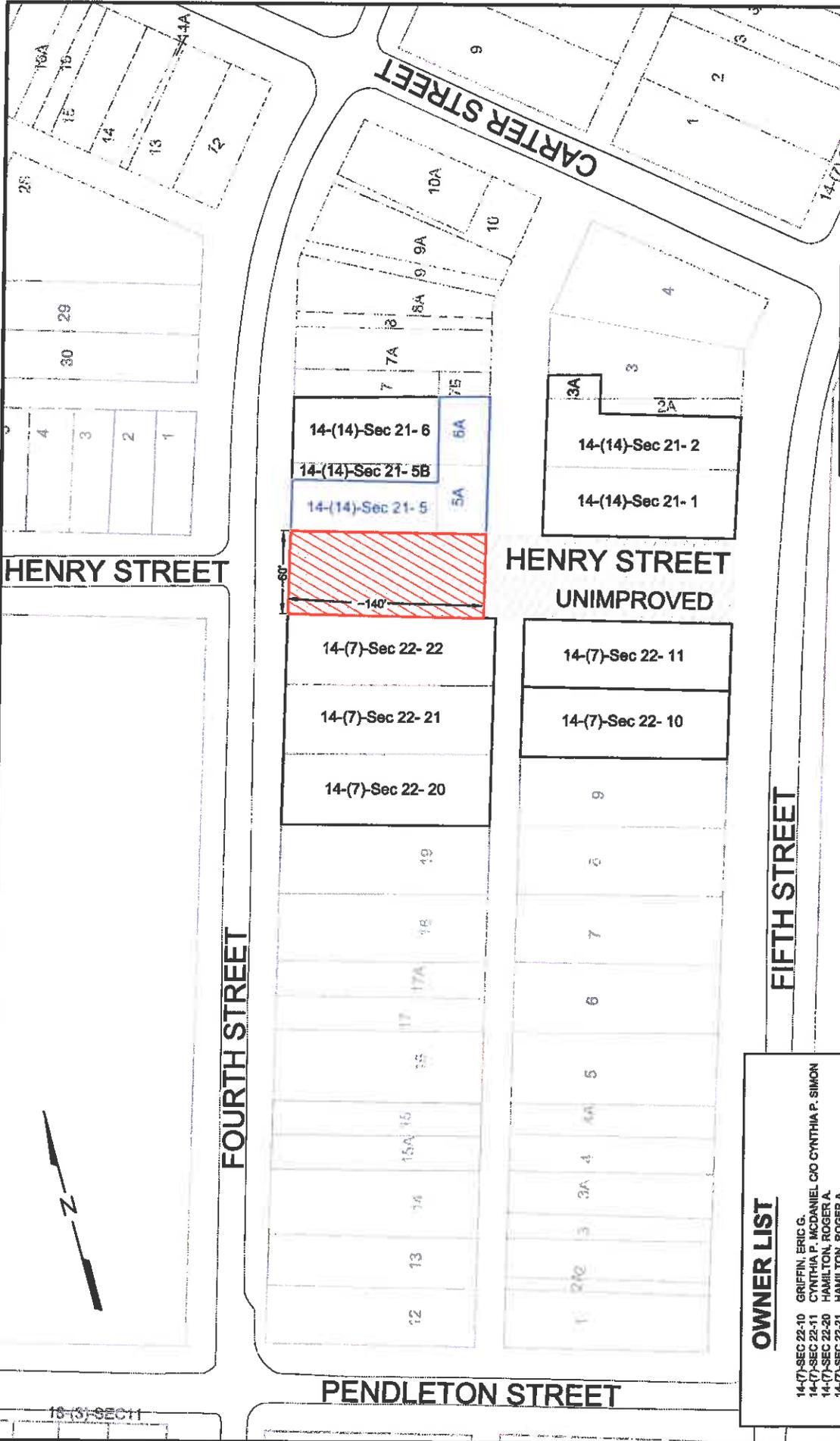
to zoom in and view layers. Click on a layer for pop-up information.

The Data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for the appropriateness for use rests solely on the Requester. The City of Radford entity makes no warranties express or implied, at to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose.

Requestor shall have no remedy at law or in equity against the City in Case the Data is Inaccurate, incomplete or otherwise defective in any way. This shall extend beyond the termination of this Agreement.

Please do not use any utility layers as a reference for digging, call va811.com for safe digging. By calling Virginia 811, you contact all member utilities with one call.





LEGEND

 PORTION OF HENRY STREET REQUESTED TO BE VACATED BY SCOTT HILL
APPROX: 8,400SF 60'X140'

WEST VIEW
CEMETERY

OWNER LIST

14-7)-SEC 22-10	GRIFFIN, ERIC G.
14-7)-SEC 22-11	CYNTHIA P. MCDANIEL CO CYNTHIA P. SIMON
14-7)-SEC 22-20	HAMILTON, ROGER A.
14-7)-SEC 22-21	HAMILTON, ROGER A.
14-7)-SEC 22-22	HAMILTON, ROGER A.
14-7)-SEC 14-1	PACK, CLAUDE LESLIE & SANDRA
14-7)-SEC 14-2	PACK, CLAUDE LESLIE & SANDRA
14-7)-SEC 14-3A	PACK, CLAUDE LESLIE & SANDRA
14-7)-SEC 14-5	HILL, SCOTT A. & ANGELA M.
14-7)-SEC 14-5B	HILL, SCOTT A. & ANGELA M.
14-7)-SEC 14-6	LAW PROPERTIES, LLC
14-7)-SEC 14-6	LAW PROPERTIES, LLC
14-7)-SEC 14-6A	HILL, SCOTT A. & ANGELA M.

NOTES: The information contained on this page is NOT to be construed or used as a "legal description". Map information is believed to be accurate, but users are advised to verify the information by referring to the City Engineer's Office. In no event will the City of Radford be liable for any damages, including loss of profits, arising out of the use of this map or the information it contains.



July 17, 2016

Chief Rodney Haywood
Members of Radford Fire Dept.
Radford City Fire Department
1500 Wadsworth Street
Radford, VA 24141

Dear Chief Haywood,

Atlantic Emergency Solutions is pleased to present the Radford Fire Department, proposal No. 240, for a Pierce Enforcer 75ft Heavy Duty Aluminum Quint. The final price of the unit as specs call for will be \$882,987.00 this includes the discount for the prepay of \$300,000.00 down within 7 days of contract signing.

We offer Radford Fire Department \$22,000.00 for the trade in on Engine 7 which will make the final price of the unit \$860,987.00.

Atlantic Emergency Solutions is proud to partner with Pierce Manufacturing as the Virginia dealer to serve your needs. Pierce Manufacturing has been providing quality apparatus since 1913 and has evolved to become the industry leader in firefighter safety and reliability.

To ensure long-term apparatus maintenance, we have invested in ten service centers in Virginia, North Carolina, Maryland and Delaware. Atlantic Emergency Solutions' service technicians are trained and certified to service Pierce apparatus, to ensure they provide knowledgeable and dependable service for you.

It has been my pleasure to work with you and the Radford Fire Department on the Pierce Enforcer proposal. This is a highly capable rig that will provide your firefighters a safe platform to work from and give the citizens of Radford, VA the best possible protection.

Please feel free to call me at (276)732-0909 with any questions or if more information is required.

Sincerely,

Randy Smith
Regional Area Mgr.
rsmith@atlanticemergency.com

2nd Annual Craft & Draft
Saturday, October 15, 11:30am – 6:30pm

The Chamber of Commerce held Craft & Draft last year in the Farmers' Market lot. The band and vendors this year are going to bring in a much larger crowd. I am proposing and requesting holding this community event in the Taylor Office Supply Lot on 3rd Avenue. I've attached a plan layout for this event.

We can easily fit 22 vendors (maybe 24) in the space while allowing room for our two food trucks, beer truck, and our charity tent. We'll use about 25 spaces and block off the entrance of the lot on Grove ONLY. One festival entrance.

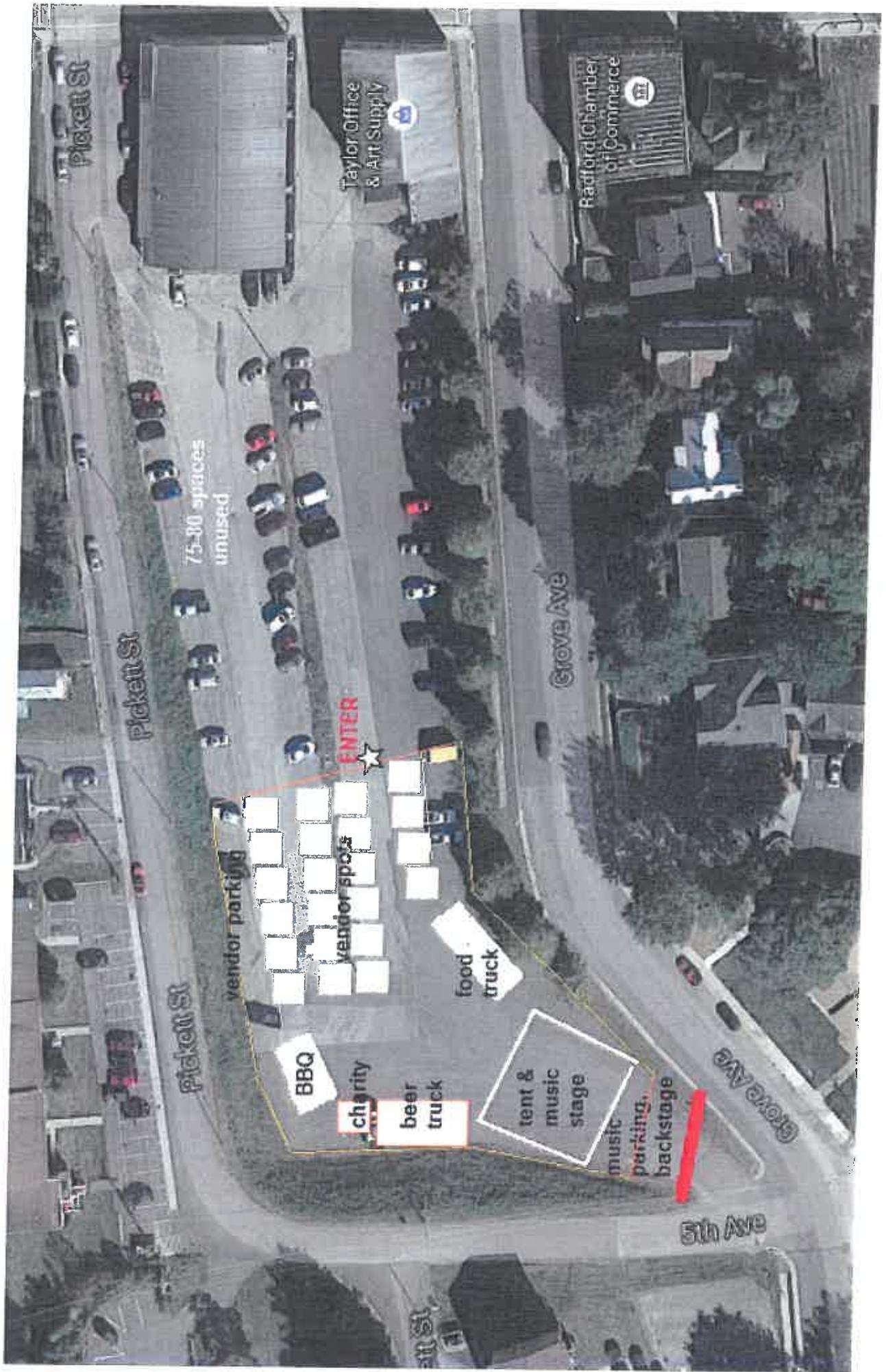
Having the cars behind the tents will mean that the walkways are a little bit more sun than what I'd prefer. If we can find a place for vendors to park, that would be preferable - maybe just down and along Grove or in the Downey Dog lot? For now, we incorporated the cars to be behind the vendors tents to save on customer parking.

About 80 spaces will remain for customers plus there's about 20 along Pickett Street. Brad's, the Farmers Market & the BB&T lot will be open in the afternoon, plus there's 6 street parking spaces on 3rd Ave and all down Main St & the RU side of Grove.

If we need to add more vendor space, we'll have to push out towards Taylor a little more. We are trying to keep everyone on the plateau of the lot's incline. If we place the festival at the base of the lot (up behind the dentists/Taylor, the incline can get steep which will pose a problem for the vendors).

I have also ran our idea by Pete Rutzinski at the Radford Police Department. I've attached some layouts for you to review.

Thank you for your support and consideration. We would like to see this event grow and bring more people to the area.



Pickett St

Taylor Office & Art Supply

Radford Chamber of Commerce

75-80 spaces unused

Pickett St

Grove Ave

ENTER

vendor parking

vendor spots

food truck

BBQ

charity

beer truck

tent & music stage

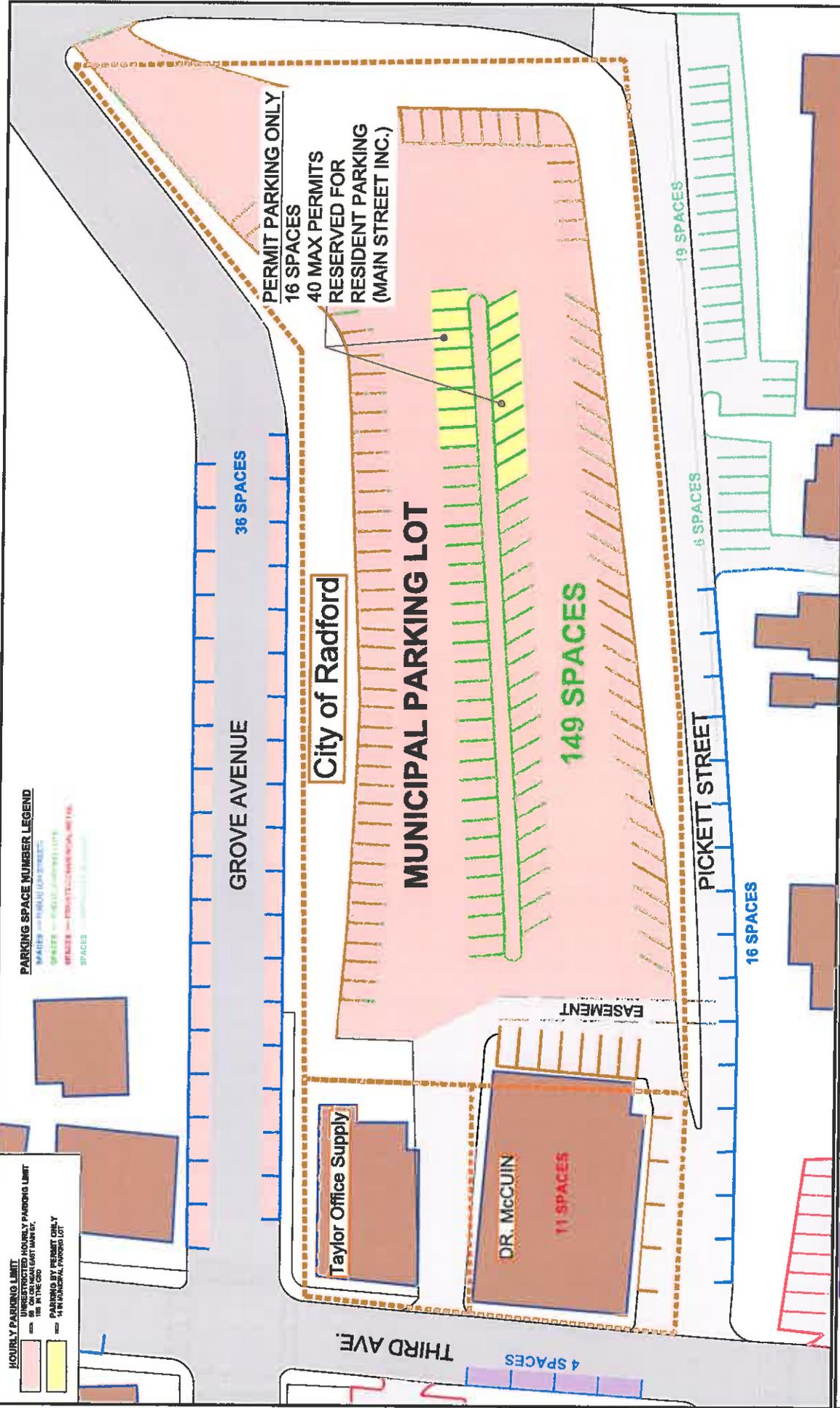
music parking, backstage

Grove Ave

5th Ave

HOURLY PARKING LIMIT
 UNRESTRICTED HOURLY PARKING LIMIT
 100 ON OR MORE EAST MARKS
 100 IN THE CSD
 PARKING BY PERMIT ONLY
 40 MUNICIPAL HOURLY LOT

PARKING SPACE NUMBER LEGEND
 SPACES - PERMIT ONLY (DASHED)
 SPACES - PERMIT ONLY (DOTTED)
 SPACES - PERMIT ONLY (DOTTED)
 SPACES - PERMIT ONLY (DOTTED)
 SPACES



1 OF 1

MUNICIPAL PARKING LOT

DATE: 02/11/24
 DESIGNED BY: J. JAMES
 CHECKED BY: J. JAMES
 CITY ENGINEER: J. JAMES

CITY OF RADFORD, VIRGINIA
 410 SECOND STREET
 RADFORD, VIRGINIA
 CITY ENGINEER & OFFICE

RADFORD
 James / Attn: 606 117th / 610 Project/Planning/Municipal Parking Lot/Planning Draft & Brief/02/11/24

Memorandum

To: Mayor Brown, Vice-Mayor Harshberger, Members of City Council

From: Melissa Skelton, Community Developer

Date: August 1, 2016

Subject: Zoning Amendment - Brewery

Planning Commission met at their July 18, 2016 meeting and reviewed a draft ordinance that was provided by the city attorney to cover the whole scope of craft beverages, referencing the Code of Virginia. The amendment of the Zoning Ordinance will permitted Craft beverage manufacturing, in B-1, B-2, and B-3.

Planning Commission voted unanimous to request that City Council hold a public hearing. Please advise if you have any questions.

Cc: David Ridpath, City Manager

ORDINANCE NO. 1686

AN ORDINANCE TO AMEND AND REENACT THE ZONING ORDINANCE OF THE CITY OF RADFORD IN CHAPTER 120.1, TO INCLUDE A DEFINITION FOR “CRAFT BEVERAGE MANUFACTURING” TO SECTION 120.1-6 DEFINITIONS AT DIVISION 2, SECTION 120.1-6 (3), AND TO AMEND THE USES AND STRUCTURES PERMITTED BY RIGHT TO INCLUDE “CRAFT BEVERAGE MANUFACTURING” IN THE B-1, B-2, AND B-3 DISTRICTS, AS SET FORTH IN DIVISION 9, SECTIONS 120.1-85, DIVISION 10, SECTION 120.1-90 AND DIVISION 11, SECTION 120.1-97, OF THE CODE OF ORDINANCES, CITY OF RADFORD, VIRGINIA

THE CITY COUNCIL OF THE CITY OF RADFORD, HEREBY ORDAINS that the Code of Ordinances of the City of Radford, Virginia, set forth in Chapter 120.1 the “Zoning Ordinance” shall be and the same is hereby amended and reenacted by providing for and making revisions and amendments to Division 2, Definitions, Section 120.1-6 (3) to add a definition for “Craft Beverage Manufacturing”; and to amend and reenact Section 120.1-85 of Division 9, the B-1 Limited Business District; Section 120.1-90 of Division 10, the B-2 General Business District; and Section 120.1-97 of Division 11, the B-3 Central Business District to permitted uses and structures of Microbreweries therein, as follows:

Sec. 120.1-6 (3) Certain words defined. The following words and terms shall be interpreted as having such meaning as set forth herein, unless a specific meaning to the contrary is indicated elsewhere in this chapter.

Craft Beverage Manufacturing: A small-scale brewery manufacturing no more than 15,000 barrels of beer per calendar year licensed in accordance with § 4.1-208 of the Code of Virginia, as amended, or a small-scale distillery manufacturing no more than 36,000 gallons of distilled spirits, licensed in accordance with § 4.1-206 of the Code of Virginia, as amended. Accessory uses shall include tasting rooms at which the consumption of beer or distilled spirits manufactured on-site occurs, accessory food sales occur, and beer and/or distilled spirits manufactured on-site are sold.

Sec. 120.1-85. - Uses and structures permitted by right.

The following use types and structures shall be permitted in the B-1 Limited Business District:

- (1) Uses or structures located in this district at the time of adoption of this chapter;
- (2) Uses including office and clinic in structures of a size and scale similar to residential structures or deemed to be in compliance with the definition of “retail stores and shops,” in developments containing five or less businesses;
- (3) Public parks and recreation areas;
- (4) Safety services;

- (5) Utility services;
- (6) Educational facilities/primary and secondary; and
- (7) Churches and other places of worship;
- (8) Craft Beverage Manufacturing.**

Sec. 120.1-90. - Uses and structures permitted by right.

The following use types and structures shall be permitted in the B-2 General Business District:

- (1) Any uses or structures located in this district at the time of adoption of this chapter;
- (2) Any use deemed to be in compliance with the definition of "retail stores and shops" as set forth and provided for at Division 2 Interpretation and Definitions, in Section 120.1-6 Definitions, of Chapter 120.1 of the Radford City Code.
- (3) Auto service stations, auto service centers and self-service gasoline stations;
- (4) Automatic or self-service auto wash facilities;
- (5) Automobile, truck, trailer, recreational vehicle, equipment, machinery, rental, service and repair businesses, but not including junkyards or automobile graveyards, and provided that no repair of motor vehicles shall be conducted outside of a completely enclosed building and in view from any adjacent property or public street;
- (6) Building materials and mechanical, electrical, plumbing and heating supplies sales;
- (7) Banks and other financial institutions;
- (8) Barber shops or beauty parlors;
- (9) Bicycle sales and repair shops;
- (10) Catering or delicatessen business;
- (11) Craft Beverage Manufacturing;**
- (12) Contractors' offices, shops and display rooms;**
- (13) Entertainment, amusement and recreational facilities located within completely enclosed buildings, and including theaters, art galleries, amusement centers, bowling**

alleys, dance and nightclubs, lodge and club meeting places, auditoriums, assembly halls and similar uses but not including adult uses;

- (14) Garden centers and plant nurseries;
- (15) Hotels and motels;
- (16) Machine shops and sheet metal fabricating shops;
- (17) Parking areas and parking garages as a principal use of property;
- (18) Public utilities or public service or transportation uses, buildings, (including bus stations), generating, purification or treatment plants, water storage tanks, pumping or regulator stations, telephone exchange, substations and major transmission lines;
- (19) Recycling collection centers for use by the general public, provided that no processing of materials collected shall take place on the site;
- (20) Research facilities and testing laboratories;
- (21) Restaurants and other food service and catering establishments, provided that where food or beverages are available;
- (22) Terminals and related facilities for public transportation;
- (23) Veterinary clinics, animal hospitals and animal shelters, but not including kennels;
- (24) Vocational, business and professional schools; and
- (25) Wholesale and distribution businesses, within the confines of the building footprint.

Sec. 120.1-97. - Permitted uses and structures.

The following use types and structures shall be permitted in the B-3 Central Business District:

- (1) Any uses or structures located in this district at the time of adoption of this chapter;
- (2) Any uses deemed to be in compliance with the definition of "retail stores and shops";
- (3) **Craft Beverage Manufacturing;**
- (4) Restaurants and other food service and catering establishments, provided that where food or beverages are available;

- (5) Public parks and recreation areas;
- (6) Safety services;
- (7) Utility services;
- (8) Educational facilities/primary and secondary; and
- (9) Pedestrian oriented commercial retail businesses.

Should any article, section, subsection, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the constitutionality of this ordinance as a whole or any part thereof, other than the part declared invalid or unconstitutional. Should this Ordinance be in conflict with any other City Ordinance or policy, this Ordinance shall prevail.

This Ordinance was duly considered after duly advertised public hearings held on _____ at a meeting of the Planning Commission and after duly advertised joint public hearing held on _____ by the Radford City Council, and was thereafter adopted by the City Council of the City of Radford, Virginia, at a regular meetings of the City Council held on _____.

The Ordinance shall become effective upon the date of its adoption. The City Council voted in the following manner:

First Reading:

Motion:

Second:

Recorded Vote: Mr. Gropman
 Dr. Harshberger:
 Mr. Marshall:
 Mr. Turk:
 Mayor Brown:

Second Reading:

Motion:

Second:

Recorded Vote: **Mr. Gropman**
 Dr. Harshberger:
 Mr. Marshall:
 Mr. Turk:
 Mayor Brown:

ATTEST:

Jennifer G. Wilder, City Clerk

MASTER COMMISSIONER OF THE REVENUE

Cathy Flinchum

619 Second Street, Rm. 161

Radford, VA 24141

(540)731-3613

cathy.flinchum@radfordva.gov

CITY OF RADFORD BUSINESS LICENSE REPORT

JUNE 2016

TOTAL LICENSE AMOUNT	\$ 489.00
TOTAL LICENSE FEES	11.25
TOTAL PENALTIES	0.00
GRAND TOTAL	\$ 500.25


CATHY FLINCHUM

MASTER COMMISSIONER OF THE REVENUE
CITY OF RADFORD

7/05/2016

COMMISSIONER OF THE REVENUE

Cathy Flinchum

619 Second Street, Rm. 161

Radford, VA 24141

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SEMI-ANNUAL CITY OF RADFORD LICENSE REPORT

2016

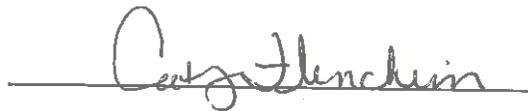
<u>MONTH</u>	<u>LICENSE</u>	<u>FEE</u>	<u>PENALTY</u>	<u>TOTAL</u>
JANUARY	\$ 42,694.14	\$ 49.50	\$ 0	\$ 42,743.64
FEBRUARY	251,833.18	173.25	0	252,006.43
MARCH	151,438.28	114.75	2,094.19	153,647.22
APRIL	16,342.50	41.25	418.06	16,801.81
MAY	5,640.42	23.25	218.59	5,882.26
JUNE	489.00	11.25	0	500.25

TOTAL LICENSE \$ 468,437.52

TOTAL FEES 413.25

TOTAL PENALTIES 2,730.84

GRAND TOTAL \$ 471,581.61



CATHY FLINCHUM
MASTER COMMISSIONER OF THE REVENUE
(07/05/2016)