

**10 Robertson St.
Virginia**

**The "New River" City
January 25, 2016**

Radford,

Regular Meeting Number 10 of Radford City Council, F.Y. 2015-2016

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 Dr. Richard Harshberger, Mr. Daniel Keith Marshall, Mr. Robert Nicholson 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
Mrs. Jenni Wilder, Public Information Officer
Mr. Donald Goodman, Chief of Police
Mr. Basil Edwards, Economic Developer

Following the Pledge of Allegiance, led by Mayor Brown, and the invocation was led by Rev. McCandlesh.

MINUTE APPROVALS: On a motion by Dr. Harshberger seconded by Mr. Marshall, that the minutes for January 11, 2016 are approved as presented.

VOTE:

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

RESOLUTION

SUBJECT: NRV Commerce Park Participation & Revenue Sharing Agreement

SUMMARY: Virginia's First has requested an amendment to the Commerce Park Participation Agreement. The proposed amendment addresses the ownership of the park and distribution of shares, overall project description, eliminates the project committee, clarifies billing and financial transactions, as well as updates the financial plan and related long-term debt.

Mr. Wilson, Executive Director Virginia's First and Teresa Fontana, Attorney from VA First were present to explain the amendments to the Agreement.

Mr. Wilson shared that the amendments do not change the ownership, and preserves the voting rights that are in place. Currently they have Virginia's First and Commerce Park Participation Committee meetings, they have to have two meetings, with the same participants, voting on the same items, the amendments will streamline the process. The amendment has been approved by VA First Board of Directors.

Mr. Marshall asked what the Project Participation Committee did in the past.

Mr. Wilson responded the Project Participation Committee were in charge of running and overseeing the development of the park. VA First was the umbrella organization and are the legal entity under the Code of Virginia. VA First will now be in charge of managing the Park. Lisa Fontana added that they will be streamlining the organization and not have duplicate layers and your ability to vote on items will not change. She explained that one committee would meet and vote, then the same people would go to the next committee and vote on the same thing. This amendment just streamlines the process and make it more transparent.

Mr. Turk said he represents the City on this committee and shared that when he first started he did not know if Radford should be participating or not. And since Danny has come on, he has seen a lot of positive things occur and he see's good things coming out of this and grateful we are participating.

Mayor Brown asked what the timeline to have get all the approvals on the amendment.

Mr. Wilson responded their target to get all the localities approvals is by March 9th.

Mayor Brown suggested putting it off until the next meeting to allow Mrs. Devilbiss, and Council a little more time to review it.

Gail shared that she has had time to review it and there is one minor typographical change that needs to be made. She said she it is a well drafted document and is impressed with the changes and has no objections.

Mayor Brown suggested if they are not pushed for time, to put it off until the next meeting to allow Council a little more time to review it.

CITIZENS COMMENTS:

Dr. Beech, Radford resident, shared that he was here in regards to the resubdivision request at 11 Hickory Road. He shared his concern as to whether this request met the intent of the R-1 district as described in the Zoning Ordinance. He stated that since the Planning Commission's vote was not in full favor that is shows the potential doubt from them. He said that in his opinion it would not fit with theme of the current neighborhood and could be costly in tax revenue for disrupting the neighborhood that already is established and provided an example of how tax revenue could be lost.

Robby Jenkins, Radford resident, also shared his concerns. His family has lived there over 40 years, and when they were first informed about the subdivision, it was going to be put in 3 lots and later found out that it had gone before planning commission with 5 lots and in their opinion, this will take away from character of subdivision. He shared that it didn't appear that the front widths being proposed plat actually met the Zoning Ordinance requirements.

Mr. Lane, Radford resident, shared that he believes just because something is legal to do, doesn't mean it is right. And feels this would not fit into this neighborhood it would permanently destroy the esthetics of the property and encouraged council not to approve it.

Mr. Amonette, Radford resident, also shared his concerns and reiterated what Mr. Jenkins shared. That the first lot was only showing a front width of 48.2' and the second lot next to it is the same.

Mrs. DeVilbiss interjected that the lots do meet all minimal requirements. That you need to add the curve dimensions, provided in the legend, to the straight line lengths to get the actual front width.

Mr. Amonette stated that he hoped Council will consider their wishes and not approve it.

Mrs. Beech, Radford resident shared that they moved to that neighborhood about 15 years ago and bought the house because of the large lots and they love neighborhood just like it is.

Mr. McGraw, Radford resident and real estate agent, shared that he is currently representing both Dawn Jenkin and Dr. Feng. He stated that what is being proposed is legal and permissible, and it does meet all minimal requirements. He shared that Dr. Feng is placing minimal deed restrictions on the property. There are currently no restrictions to prevent. He stated that he understands the neighbors' concerns because there are no restrictions in that neighborhood. He shared that the deed restrictions would be a minimum of \$225,000. Mr. McGraw pointed out, that of the five lots, one fronts Park Road, and will have no impact on the neighborhood. There will only be an additional three new houses coming in on Hickory Road. No new roads or infrastructure is required and most important, it brings new construction to central part of the city and the possibility of bringing outside people to our community. He share his personal opinion it meets the predominant price range that is already there and will complement the neighborhood.

Dr. Feng, Radford resident, stated that the proposal does meet all requirements with the surveyor. He shared that he believes Radford needs higher end housing for his colleagues. He plans on building nice homes. He said he understands the neighbors' concerns and guarantee that he will not be developing cheap housing and hopes that Council would consider his request.

Melissa Almond, Family Service Supervisor with Radford Department of Social Services, and a board member of Children's Trust. She provided an update on the Children's Advocacy Center and said the goal is to reduce trauma and one of the ways of doing so is by limiting the number of interviews that a child participates in during the investigation process. She invited Council to visit the center anytime.

OLD BUSINESS:

SUBJECT: Second Reading Appropriation Ordinance 1673.15: \$32,000 Cultural Heritage Project

SUMMARY: A committee has been working through the Radford Heritage Foundation since 2010 to increase our community's cultural heritage and history related tourism opportunities. The goals for the committee are to create a train viewing platform, an amphitheater and statue commemorating Mary Draper Ingles, on a 1.36 acre tract of property donated by Norfolk Southern, adjacent to Glencoe. The project is short about \$32,000 and the committee is requesting assistance from the City.

City Council discussed the project and cost prior to the vote at the December 14, 2015 regular meeting. Due to the uncertainty of the estimate and desire to focus on the statue, the \$15,000 cost of the train viewing platform was removed from consideration with the modification of the amount to \$32,000 for the statue only.

ACTION: Dr. Harshberger made a motion to approve Appropriation Ordinance #1673.15 on its second and final reading, Mr. Nicholson seconded the motion.

VOTE:

AYES:	Dr. Harshberger	Yes
	Mr. Marshall	No
	Mr. Nicholson,	Yes
	Mr. Turk,	No
	Mayor Brown	Yes

SUBJECT: Subdivision Plat – Mei XU and Zheng Feng

SUMMARY: Mei Xi and Zheng Feng have requested that a 1.909 parcel of property adjacent to Hickory Road in the Hickory Hill residential development, be re-subdivided into five (5) lots. The property is zoned R-1, single family residential and the subdivision would meet the minimum lot requirements for that residential zone including the existing house.

The Planning Commission considered the request at its meeting on January 4, 2016 and has recommended the approval of the re-subdivision on the basis that it meets the minimum standards of both the zoning and subdivision ordinances.

Mr. Nicholson shared that Planning Commission did not have anyone at their meeting and they had spent the majority of the meeting talking about this one particular topic. He shared his frustration in the whole process. What it boils down to is property rights and individual rights. And should you have the right to do what you want with your own property. But you also have to think about the property rights of those individuals who bought into that area. He agrees that the division does meet the requirements of the Single Family R-1 district, and with reluctance he did make the motion for it to move onto council. Mr. Nicholson stated when the subdivision ordinance was created it focuses on new development and not into already developed neighborhoods. He is all for creating new opportunity for development but believes that we should be concerned about the rest of housing in that area and of all of Radford. We cannot create a special zone or special requirement for every single lot in Radford. The Planning Commission has been working for some time to update the Comprehensive Plan and when that is approved, they will look at updating the Zoning Ordinance and will really need to look at creating special zones for existing subdivisions. They are challenged, it does meet the requirements and they are challenged to uphold the law of the land.

ACTION: Dr. Harshberger made a motion to approve the subdivision plat. No one seconded the motion.

NEW BUSINESS

SUBJECT: Appropriation Ordinance # 1673.17: \$10,000 – Police Department

SUMMARY: The Police Department has received a grant from the Department of Criminal Justice Services. The funds will be used to purchase eight Wi-Fi kits and related software to provide downloads from the patrol car's, in-car cameras to the police server, as well as the purchase of one digital car camera and four tactical belt pouches for the high definition camera and cable kits. The equipment will increase efficiency of data collection, as well as protect sensitive equipment.

ACTION: Mr. Marshall made a motion to approve Appropriation Ordinance #1673.17 on its first reading, Mr. Turk seconded the motion.

VOTE:

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

NAYES: None-0

Chief Goodman shared that this is a good opportunity for them. It will allow them to combine what they already have on their body cameras and car and will sync them together.

ACTION: Mr. Marshall made a motion to approve Appropriation Ordinance #1673.17 on its second and final reading, Mr. Turk seconded the motion.

VOTE:

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

NAYES: None-0

SUBJECT: Appropriation Ordinance # 1673.18: \$13,100 – Police Department

SUMMARY: The Police Department has received a donation from Shentel for support of the K-9 unit, as well as Animal Control. The funds have been specifically marked for use for fencing at the animal shelter, as well as for acquisition and training of a “tracking” dog.

ACTION: Dr. Harshberger made a motion to approve Appropriation Ordinance #1673.18 on its first reading, Mr. Marshall seconded the motion.

VOTE:

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

NAYES: None-0

ACTION: Dr. Harshberger made a motion to approve Appropriation Ordinance #1673.18 on its second and final reading, Mr. Marshall seconded the motion.

VOTE:

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

NAYES: None-0

SUBJECT: Consider Scheduling Public hearing for Amendment of City Code: Sect 27-34
“Central Absentee Precinct”

SUMMARY: The Voter Registrar has requested that City Council consider amending City Code Section 27-34 pertaining to the “Central Absentee Precinct”. The polling place of the absentee voter is at 619 Second Street where ballots are collected and counted. The City Code references the “Central Absentee Precinct” for “general” elections. The Voter Registrar would like the Code revised to reflect “elections” and drop the reference to “general” elections, so the Central Absentee Precinct would be used for all elections including primaries.

Mr. Ridpath asked Council to consider amending Section 27-1 also, this section of the code is archaic, and it involves the custody of the booths and ballots.

Tracy Howard, Voter shared that Section 27-1 refers to custody of booths be in the custody of the Sheriff, this went away a long time ago and need to either repeal this section or reference that it is covered under Section 24.2 of the Code of Virginia.

ACTION: Mr. Nicholson made a motion to schedule public hearing for February 8, 2016, Dr. Harshberger seconded the motion.

VOTE:

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

NAYES: None-0

SUBJECT: Appropriation Ordinance # 1673.19: \$34,225 Voter Machines

SUMMARY: The Voter registrar is requesting to replace the current voting machines that are 12 years old with a ten year life expectancy.

Mr. Nicholson asked Mr. Howard if he has the full support of electoral board.

Mr. Howard responded that the Board voted to approve unanimously. He shared that at every election, they appear to have some mechanical issue with the current machines.

Mr. Turk asked how long the ones they are looking at have been around.

Mr. Howard responded they have been around for a few years. It is a paper ballot and will have a paper trail in case something goes wrong.

ACTION: Mr. Nicholson made a motion to approve Appropriation Ordinance #1673.19 on its first reading, Mr. Turk seconded the motion.

VOTE:

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

NAYES: None-0

ACTION: Mr. Nicholson made a motion to approve Appropriation Ordinance #1673.19 on its second and final reading, Mr. Turk seconded the motion.

VOTE:

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

CITY MANAGERS COMMENTS:

Mr. Ridpath shared they have been dealing with Storm Jonas over the last few days, they were very prepared for this storm. He mentioned we are a little behind on sanitation and will be catching up over next couple days and appreciate everyone's patience. Public Works did a great job.

He added that tonight works session will be held at next meeting and to look at our website for updates. And, on March 1st we will move from our Code Red to Civic ready. The new website helps with preparedness.

CITY COUNCIL COMMENTS:

Mr. Marshall thanked the City workers for the great job removing the snow. He also thanked everyone that came out tonight and that it was nice to hear their opinions.

Mayor Brown shared that Rob Graham, School Superintendent, wanted to pass along what a great job the City did of removing the snow.

He asked Mr. Ridpath when the budget process would begin.

Mr. Ridpath responded that agency request start next week.

Mayor Brown thanked the Planning Commission for their work.

Mr. Marshall made a motion to adjourn the meeting at 8:29 p.m., seconded by Mr. Turk.

VOTE:

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

ATTEST:

Melissa A. Skelton, City Clerk of Council