

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF NOVEMBER 20, 2007 AT 7:30 P.M.**

A REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT THE CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VA, ON NOVEMBER 20, 2007 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Ballengee, Councilmembers Barber, Canada, Carter, Huppert, Stipes, and Wade. COUNCIL MEMBERS ABSENT: None. Also present Town Manager Terpenny, Assistant Town Manager Helms, Town Clerk Stipes, Planning Director Wingfield, and Town Attorney Memmer.

PLANNING COMMISSION MEMBERS PRESENT: Commissioners Carter, Moore, Poff, Simmons, and Vanhoozier. PLANNING COMMISSION MEMBERS ABSENT: Booth, and Byrd.

MAYOR BALLENGEE stated there was a quorum present of Council Members and Planning Commissioners.

PLEDGE OF ALLEGIANCE led by Councilman Huppert.

JOINT PUBLIC HEARING

1. Rezoning request by Albert Land, LP for property on the northern side of Peppers Ferry Road, N.W. at the end of Sage Lane (tax parcels 404 – ((A)) – 2 and 8) from A Agricultural to R-1 Single-Family Residential. The property contains 21.61 acres and is scheduled as Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. Mr. Larry Waddell and Mr. Bo Keister, both of Sage Lane, spoke out in opposition to the request. Mr. Waddell said he is not opposed to progress, but is concerned that Sage Lane may be used as the egress/ingress for the new subdivision. He further said that Sage Lane is too narrow and crowded to accommodate the additional traffic for the new homes, and that entrance onto Route 114 from Sage Lane is already complicated by heavy traffic flow. Mr. Waddell said these issues may impede emergency vehicles trying to access the neighborhoods. Mr. Keister further added that, due to limited parking space and conflicting work schedules, many residents park at least one vehicle along the street, which further narrows Sage Lane. He is also concerned that the safety of the children in the neighborhood may be jeopardized by increased traffic flow. Mr. Keister is opposed to Sage Lane being used as a connector road to the new subdivision and he believes there are better options for a through way. Mr. Richard Cox of Sage Lane voiced his opposition and reiterated the concerns previously mentioned. Ms. Lorrie Albert of Albert Lane, adjacent to New River Village, said she is opposed to the new subdivision because she believes the developer has not kept his word regarding the development of New River Village. She is also concerned with the heavy traffic flow in the area and believes this is an issue that needs to be addressed. According to the developer's plat, Albert Lane is shown as a potential access to the new subdivision; however, Ms. Albert said that Albert Lane has been demolished and is not an access to the developer's property. Mr. Fralin offered to address some of the concerns. He commented that, after studying Sage Lane, he does not believe that the safety of the residents is jeopardized by using Sage Lane as an access road for the new subdivision. The Homeowner's Association for New River Village has been proactive in controlling traffic by providing digital speedometers in the neighborhood, along with "Watch Children" signs. He further stated that there is a demand in Christiansburg for the type of housing he is providing, which is single-family, geared towards young professionals. Mr. Fralin said he is happy to answer any further questions. Ms. Ann Waddell submitted to Council a letter from a resident of Sage Lane unable to attend tonight's meeting. The letter spoke in opposition to the request and noted several deficiencies in the development of New River Village, such as poor lighting. The developer, Mr. Robert Fralin, commented that the lighting is planned differently for the new subdivision. Mayor Ballengee stated that development of this property dates back to the year 2001 and at that time the Town did not know when to expect improvements to Route 114. Now, however, improvements to Route 114 are included in VDOT's six year plan. Mr. Fralin noted the proffers submitted to Council for this development. In addition to other proffers, Mr. Fralin proffered the development of a small park with a jungle gym for the community's use. A copy of the proffers is attached herewith and made a part of these minutes. Councilman Wade asked if there are any other options for a connector road to the property. Mr. Fralin replied that to create a second entranceway would be unsafe due to its close proximity to Sage Lane. Councilman Huppert reported that, due to concerns he has regarding traffic along Route 114, he did a site visit at the corner of Route 114 and New Village Drive. However, he did not see any traffic problems and even revisited the site during "peak hours", but still did not see any problems with the traffic flow in this area, or along Sage Lane. Town

Council further discussed with the developer possible ways to control ingress and egress to the subdivision and the potential for a different connector road to the site.

REGULAR MEETING

MAYOR BALLENGEE called the Regular Meeting of Council to order and asked if there were any additions or corrections to the Minutes of November 6, 2007. There being none, the minutes were approved as presented.

CITIZEN HEARINGS:

MAYOR BALLENGEE opened the Citizen Hearings for those desiring to address Council.

PLANNING COMMISSION'S RECOMMENDATION ON THE JOINT PUBLIC HEARING REQUEST. At Chairperson Simmons' request, Secretary Terpenny read the Planning Commission's resolution recommending Town Council approve the rezoning with five proffers. The Planning Commission's vote to approve was three to one. A copy of the resolution and proffers is attached herewith and made a part of these minutes.

There being no one else to address Council, MAYOR BALLENGEE closed the Citizen Hearings.

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

COUNCIL ACTION ON THE PLANNING COMMISSION'S RECOMMENDATION ON THE JOINT PUBLIC HEARING REQUEST. Councilman Canada said he understands that the request is to rezone the property to R-1 Single-Family Residential, which allows development of this subdivision, however his concerns are with the traffic problems along Route 114. VDOT's improvements to Route 114 have been anticipated for more than twenty years and he is not confident that the road will be improved within the next six years. Councilman Canada said he lives off Route 114 and he can not support further development in this area until the road is fixed. After much discussion, Councilman Stipes commented that he would like additional time to review the request and made a motion to table the request for further review. The motion died for lack of a second. Councilman Canada made a motion to deny the request, seconded by Councilman Barber. Town Clerk Stipes polled Council on the motion as follows: Barber – AYE; Canada – AYE; Carter – AYE; Huppert – AYE; Stipes – ABSTAIN; Wade – AYE. The request is denied.

PRESENTATION OF RECOGNITION OF FORMER COUNCILMEMBER DALE ASHWORTH. Mayor Ballengee welcomed Dale Ashworth's parents and wife, Kathy, to the meeting and asked them to join him at the front. Mr. Bob Adkins and Mr. Nick Glenn of the New River Valley Airport Commission presented to Dale's family a plaque commemorating Dale's life and service to the Airport Commission and the New River Valley. Mr. Ashworth thanked the Commission for honoring Dale and said he is honored to accept this resolution on Dale's behalf. A copy of the resolution is attached herewith and made a part of these minutes.

RESOLUTION OF SUPPORT FOR DESIGNATION OF THE WILDERNESS ROAD. Councilman Wade made a motion to approve a resolution in support of the designation of a driving route entitled "The Wilderness Road: Virginia's Heritage Migration Route" from Winchester to Cumberland Gap in Western Virginia including the two spurs of The Carolina Road and the Fincastle/Cumberland Gap Turnpike. Councilman Barber seconded the motion and Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None. A copy of the resolution is attached herewith and made a part of these minutes.

DISCUSSION OF TEMPORARY CONTRACT EXTENSION FOR UTILITIES AGREEMENTS WITH MONTGOMERY COUNTY/PSA. Town Manager Terpenny explained that several utility agreements were negotiated as part of the annexation beginning in 1987. The agreements, Shawsville, Midway, Merrimac, and Mudpike, were negotiated as the need arose and therefore the agreements all have different expiration dates, and all but one expires the end of this year. This request for a simple twelve month extension will allow time for all the contracts to be brought into the same time frame with the same expiration date. This will simplify management of the contracts. Town Attorney, Jim Guynn, and the County's attorney have both reviewed the contract extension. Councilman Canada made a motion to adopt the temporary contract extension, seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

DISCUSSION REGARDING THE NEW RIVER VALLEY DEVELOPMENT CORPORATION PARTICIPATION COMMITTEE. Town Manager Terpenny explained that Christiansburg, as a member of the Virginia's First Regional Industrial Facilities Authority (VFRIFA), has the authority to choose which projects to participate in. The New River Valley Development Corporation Participation Committee has brought before VFRIFA the opportunity for members to form a participating committee to take ownership of the New River Valley Competitiveness Center, and assume the assets and liabilities associated with the center. Manager Terpenny suggested ways this might be financially possible for the Participating Committee through VML/VACO bonding pool. After further discussion, Councilman Canada made a motion to allow Councilman Barber, Chairman of the New River Valley Development Corporation, time to gather information regarding the assets, liabilities and overall finances of the Competitiveness Center for Council's review. Councilman Stipes seconded the motion and Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

MR. STIPES AND MR. CANADA – Street Committee Recommendation on:

1. Plat of Subdivision of Tax Map 559-(1)-B, Creating Lots 3, 4, and 5 for Industrial Development Authority of Montgomery County, 3 lots, Technology Drive. Councilman Stipes reported that this request is to divide twenty-eight acres within the Falling Branch Industrial Park into three building lots. The plat is consistent with the industrial park regulations and guidelines, and the Town Subdivision Ordinance, and Councilman Stipes made a motion to approve the request, seconded by Councilwoman Carter. Council voted on the motion as follows: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER REPORTS:

PUBLIC HEARING REQUEST – Town Manager Terpenny presented the following requests and recommended setting the Public Hearings for December 18, 2007:

1. Major Home Occupation, Stafford Drive, R-1 Single-Family Residential.
2. Sale of two lots in the Christiansburg Industrial Park.

On motion by Councilman Barber, seconded by Councilwoman Carter, Council voted to set the Public Hearings for December 18, 2007. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

TOWN COUNCIL authorized the Town Manager to begin the bidding process for the usual twenty-five dollar (\$25.00) employee Christmas gift certificates given each year to full-time, salaried and permanent, part-time employees. The bid requests are sent to Christiansburg grocery stores. Councilman Barber made the motion, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

TOWN COUNCIL voted to set the Christmas and New Year's holidays as follows for Town employees: Christmas – All day December 24th and all day December 25th. New Year's – All day January 1, 2008. Council also voted to cancel the first regular Town Council meeting in January, which falls on January 1st, with the option to call a meeting, if necessary. Council will review and vote on the bill list for January at the December 18th meeting. Councilman Canada made the motion, seconded by Councilman Barber. Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER TERPENNY reported that the Town has received a request from Police Chief Sisson, who has been working with Sheriff Whitt and Police Chief Crannis, to waive the local license fee for police personnel, which is allowed by Virginia. The Town currently waives this fee for volunteer fire and rescue personnel. According to Chief Sisson, Montgomery County has already approved this policy and Blacksburg intends to. Councilwoman Carter pointed out that the Town offers this benefit to Town fire and rescue personnel because they are volunteers, and that this should be the focus when considering this request. Mayor Ballengee commented that it is noble to reward certain groups, but he is concerned with where to draw the line. The question was also raised about police personnel of other localities residing in Christiansburg; are they exempt, as well? Several Councilmembers are concerned that preferential treatment would be the impression given to other employees if this request is approved. Councilman Barber voiced his support of the request commenting that this is a good way to show appreciation for the police personnel. Mayor Ballengee replied that police personnel are already offered additional benefits exclusive to the police department, such as early retirement and other monetary retirement benefits. Councilman Wade stated that he believes more information is necessary before Council can make an informed decision. He raised questions about the number of residents this would affect, and the impact on Town

revenue. Mayor Ballengee directed Town Manager Terpenny to gather additional information on this request for Council's review.

COUNCILMAN STIPES reported that the Website Committee has been hard at work on the website and he plans to bring a brief presentation to Council at the December 18th meeting.

MAYOR BALLENGEE reminded those present of the Christmas parade to be held downtown on December 7, 2007.

ADJOURN:

There being no further business to bring before Council, Mayor Ballengee declared the meeting adjourned at 9:44 P.M.

Michele M. Stipes, Clerk of Council

Richard G. Ballengee, Mayor