

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF FEBRUARY 19, 2008 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 FEBRUARY 19, 2008 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Ballengee, Councilmembers Barber, Canada, Carter, Huppert, and Wade. COUNCIL MEMBERS ABSENT: Councilman Stipes. Also present Town Manager Terpenny, Assistant Town Manager Helms, Town Clerk Stipes, Town Planner Hair, and Town Attorney Memmer.

PLANNING COMMISSION MEMBERS PRESENT: Commissioners Booth, Byrd, Carter, Moore, Poff, Simmons, and Vanhoozier. PLANNING COMMISSION MEMBERS ABSENT: None.

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

PLEDGE OF ALLEGIANCE led by Assistant Town Manager Helms.

JOINT PUBLIC HEARING

1. A rezoning request by Thomas L. DeBusk (agent for John H. Martin III) and Michael E. and Carol G. Pontone for property at 107 and 201 S. Franklin Street and 35 Second Street (tax parcels 527 – ((25)) – 10A and 527 – ((A)) – 284) from R-2 Two-Family Residential and R-3 Multi-Family Residential to B-2 Central Business. The property contains approximately 1.49 acres and is scheduled as Central Business and Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. Town Manager Terpenny reported that Mr. DeBusk has submitted a letter proffering to restrict the use of the property to its current use as a residential property, and to use the property in the future as a professional office. Town Manager Terpenny noted that the property owner has had a permit since the 1970's allowing him to operate a cabinet shop in the rear outbuilding, and that this would be grandfathered in if this rezoning is approved. The Town has not received any complaints from the community about the small cabinet shop. Mr. DeBusk was present to answer any questions.

PUBLIC HEARING

1. Right-of-way vacation request for an unbuilt portion of Glen Court located between Flint Drive and Spruce Street (50 feet in width and approximately 274 feet in length) adjoining tax parcels 528 – ((A)) – 95 and 529 – ((15)) – 5 and 6 and 529 – ((21)) – 1 and an unbuilt portion of Lyle Lane located between Flint Drive and Spruce Street (50 feet in width and approximately 278 feet in length) adjoining tax parcels 528 – ((31)) – 2 and 3 and 528 – ((25)) – 18 and 19. Mayor Ballengee referred to the map provided by the planning department. Ms. Theresa Rosa, an adjoining property owner, asked Council to explain this request. Manager Terpenny explained that this street vacation was requested by the Town's street department, which has maintained the unopened street for years. Once vacated, Ms. Rose, and the adjacent property owner, will each receive twenty-five feet of the right-of-way. The Town and Verizon will maintain a utility easement for future use, along with a drainage easement. The Town has no objection to vacating this right-of-way.
2. Disposition of public property located in the Christiansburg Industrial Park on Industrial Drive (an approximately 4.7 acre portion of tax parcel 500 – ((A)) – 5). Town Manager Terpenny reported that the plat for this site was approved by Council at the last council meeting, and that this is the last lot in the industrial park owned by the Town.

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 February 5, 2008. There being none, the minutes were approved as presented.

CITIZEN HEARINGS:

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

POLICE CHIEF SISSON TO ADMINISTER THE OATH OF HONOR TO NEW POLICE OFFICERS. Mayor Ballengee introduced Police Chief Sisson who thanked Council for its time and its continued support of the police department. Chief Sisson introduced Officer Chad Cannon, and Officer Alan Klein, both of whom took the Oath of Honor before Council. Chief Sisson said these two officers are an indication of the police department's strong recruiting efforts, and that they are a strong asset to both the agency and the Town. Mayor Ballengee congratulated Officers Cannon and Klein, and announced a short recess to give Councilmembers the opportunity to greet the new officers.

PLANNING COMMISSION'S RECOMMENDATION ON THE JOINT PUBLIC HEARING REQUESTS:

1. A rezoning request by Thomas L. DeBusk (agent for John H. Martin III) and Michael E. and Carol G. Pontone for property at 107 and 201 S. Franklin Street and 35 Second Street (tax parcels 527 – ((25)) – 10A and 527 – ((A)) – 284) from R-2 Two-Family Residential and R-3 Multi-Family Residential to B-2 Central Business. The property contains approximately 1.49 acres and is scheduled as Central Business and Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. At Chairperson Simmon's request, Secretary Terpenny read the Planning Commission's resolution recommending Town Council approve the rezoning as requested, with the submitted proffers. The Planning Commission vote was unanimous. A copy of the resolution and proffers is attached herewith and made a part of these minutes.

MR. BOB POFF, on behalf of the Lewis Miller Museum, addressed Council regarding the annual application for the Local Government Challenge Grant for the Lewis Miller Museum. The Virginia Commission of Arts will match the funds contributed by the Town. Mr. Poff asked Council to approve filing of the grant application, which must be received by the Virginia Commission of Arts by April 1, 2008. Manager Terpenny explained that the Town allocates \$5,000.00 in the budget each year for this grant, and Virginia only requires that the Town commit to contributing the funds at this time. Funds will be allocated in the 2008 – 2009 budget year. Mr. Poff thanked Council for its past and continued support of the Lewis Miller Museum, and introduced Rhonda Hale, Director of the Lewis Miller Museum. Ms. Hale thanked Council for the support given the museum by the Town and the Parks and Recreation Department. The Parks and Recreation staff has been instrumental to the success of the events held at the museum, and she is looking forward to working with staff members again during this year's events. Museum visitation increased by twenty-two percent in 2007.

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 Wade made a motion to approve the rezoning, with submitted proffers, seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, and Wade. NAYS: None.

COUNCIL ACTION ON THE RIGHT-OF-WAY VACATION REQUEST FOR AN UNBUILT PORTION OF GLEN COURT AND LYLE LANE. Councilman Barber made a motion to vacate the unbuilt portion of Glen Court and Lyle Lane, but maintaining utility easements, as mentioned, for the Town and Verizon. Councilman Huppert seconded the motion and Council voted as follows: AYES: Barber, Canada, Carter, Huppert, and Wade. NAYS: None.

COUNCIL ACTION ON THE SALE OF LOT IN THE CHRISTIANSBURG INDUSTRIAL PARK. Councilman Barber made a motion to accept the Industrial Park Committee's recommendation to approve this sale, seconded by Councilman Wade. Council voted as follows: AYES: Barber, Canada, Carter, Huppert, and Wade. NAYS: None.

COUNCIL ACTION ON THE REQUEST BY BOB POFF ON BEHALF OF THE LEWIS MILLER MUSEUM. Councilman Huppert made a motion to approve filing of the Local Government Challenge Grant application, committing support in the 2008 – 2009 budget year. Councilman Wade seconded the motion and Council voted as follows: AYES: Barber, Canada, Huppert, and Wade. NAYS: None. ABSTAIN: Carter (Councilwoman Carter is a member of the Lewis Miller Museum Board).

CLOSED MEETING:

1. MAYOR BALLENGEE requested a Closed Meeting under Section 2.2-3711A(3), *Code of Virginia*, for the discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. On motion by Councilwoman Carter, seconded by Councilman Barber, Council voted to enter into a Closed Meeting. Town Clerk Stipes polled Council as follows: AYES: Barber, Canada, Carter, Huppert, and Wade. NAYS: None.

2. MAYOR BALLENGEE declared Council out of Closed Meeting and into Regular Session. Town Clerk Stipes polled Council as follows: AYES: Barber, Canada, Carter, Huppert, and Wade. NAYS: None.
3. CERTIFICATION – Councilwoman Carter moved to certify that the Town Council of the Town of Christiansburg, meeting in Closed Meeting, to the best of each member's knowledge, discussed only the matters lawfully exempt from open meeting requirements by Virginia Law and only such matters as are identified in the Resolution to enter into Closed Meeting. Councilman Barber seconded the certification and Council voted as follows: AYES: Barber, Canada, Carter, Huppert, and Wade. NAYS: None.

TOWN MANAGER REPORTS:

AQUATIC CENTER UPDATE – Town Manager Terpenny reported that progress continues at the aquatic center site, and that the diving tower is currently being constructed.

COUNCILMAN WADE asked for a brief status report on completion of the downtown renovation project. Assistant Town Manager Helms reported that street paving has been postponed because of weather, and that the paver needs three days of temperatures above 35° before paving can continue. Mayor Ballengee commented that, while an extension of time was granted, paving needs to be completed to accommodate the Christiansburg Cruisin' event on May 16th.

MAYOR BALLENGEE informed Council that Gay and Neel will hold a public forum tomorrow at the Recreation Center, from 4:00 P. M. to 6:00 P. M., to review and discuss the future Huckleberry bridge. All are encouraged to attend.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 9:08 P.M. On motion by Councilman Barber, seconded by Councilman Huppert, Council voted as follows: AYES: Barber, Canada, Carter, Huppert, and Wade. NAYS: None.

Michele M. Stipes, Clerk of Council

Richard G. Ballengee, Mayor