

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF JANUARY 2, 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 JANUARY 2, 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, and Town Attorney Dillon. ABSENT: None.

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

MAYOR BALLENGEE wished everyone a happy and prosperous New Year.

Pledge of Allegiance led by Mayor Ballengee.

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 December 19, 2006. There being none the Minutes were approved as presented.

CITIZEN HEARINGS:

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

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

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. Consideration of amendment to *Personnel Handbook* regarding holidays. Town Council had an in-depth discussion concerning the current *Personnel Handbook* policy regarding holidays, and the granting of additional holidays. It has not been an uncommon practice in the past for Town Council to grant employees additional holidays during the year, when the Governor does so for State employees. However, to avoid potential conflict, and to provide a permanent holiday schedule employees can plan around, Town Council decided to leave the handbook policy as it is, with eleven and one-half holidays per year provided for in the handbook. The Town Manager will decide if Friday or Monday is observed for those holidays that fall on weekends. Councilmen Canada and Wade both suggested that the Town consider reviewing its *Personnel Handbook*, since its last revision was in 2001, and there have been changes to the benefits package that are not outlined in the handbook. Councilman Canada made a motion to leave the *Personnel Handbook* holiday policy as it is, with eleven and one-half holidays per year, and have the option to consider additional days each year depending on the State schedule. The motion was seconded by Councilman Barber and Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.
2. Montgomery County Chamber of Commerce Tourism Agreement. Town Council has had the opportunity to review this agreement over the last two weeks in preparation of tonight's discussion. Manager Terpenny said it is important to remember that Christiansburg, Blacksburg, and Montgomery County each have its own individual agreement with the Chamber of Commerce, independent of the other agreements. Councilman Wade questioned the time period of the contract, and commented that Exhibit A, referred to in the agreement, is missing from his packet. Town Manager Terpenny replied that the contract period will be one year, with four, one year renewal options, commencing at signing. Renewals are automatic unless terminated. Exhibit A, Manager Terpenny explained, will be created by the Tourism Development Council, once it is formed at the signing of the agreement. Councilman Wade also commented on the wording in Paragraph 8A regarding monthly appropriation of the one-percent lodging tax. Councilman Wade believes this item can be better worded so as to protect the Town from possible overpayment in the future. Several Councilmembers commented that the one hundred eighty day termination notice, as stated in the agreement, seems excessive. Manager Terpenny explained that, often times, advertising contracts are made six months or more in

advance, and the Chamber just wants to be sure they will have adequate funding for advertising commitments. Councilman Barber asked if the Town can terminate the contract without penalty. Town Attorney Dillon commented that the contract binds the Town to future appropriations, which is a standard provision. Concerning the effective date of the contract, Attorney Dillon said that if the effective date is the date the agreement is signed, it will give the Chamber of Commerce six months funding with no restrictions. However, if the effective date were to be the beginning of the fiscal year, appropriations, and restrictions, would become retroactive. Councilmen Wade and Barber both believe the contract should be made retroactive to the fiscal year 2006. Councilman Huppert stated that the Chamber of Commerce has committed to reporting to the Town semi-annually, with a final year-end report, on funding received and spent. Therefore, he would like a provision added to the agreement providing for a semi-annual update, set for September and April, and a final year-end report, each to be given by the Director. Councilman Huppert would also like to receive more information on the local grant program from the Director. Councilwoman Carter agreed, stating that the local grant was a selling point with Council, yet not much seems to have been done with the grant program. Manager Terpenny said the local grant guidelines will be created by the Tourism Development Council once it is formed. Mayor Ballengee said initially the Chamber agreed to contribute a certain percentage of funding to the local grant program. Mayor Ballengee does not have that percentage on hand, but will get the amount from the Chamber and report back to Council. Councilman Barber made a motion to approve the agreement with the changes outlined in the discussion. Councilman Canada seconded the motion and Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

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

1. Boundary Line Adjustment, Lot E-1 and Lot E-2 of the Subdivision and Street Dedication, Parcel E, Resubdivision of Lots 1-5, Adjoining Section "A" Alleghany Park; 2 Lots; Miller Street, S.E. Councilman Barber explained that this request is to adjust the center lot line of a duplex lot to align with the center of the building. The owner then plans to sell the duplex individually. Councilman Barber made a motion to approve the request, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

CLOSED MEETING:

1. Request for a Closed Meeting under Section 2.2-3711A(7), *Code of Virginia*, for consultation with legal counsel pertaining to actual litigation involving the Town of Christiansburg – Covington vs. Town of Christiansburg; and Section 2.2-3711 A(1), *Code of Virginia*, for the discussion of personnel matters – Chief of Police. On motion by Councilman Barber, seconded by Councilman Stipes, Council voted to enter into a Closed Meeting. Town Clerk Stipes polled Council as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, 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, Stipes, 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 personnel and legal 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, Stipes, and Wade. NAYS: None.

TOWN MANAGER REPORTS:

MONTHLY BILLS – On motion by Councilwoman Carter, seconded by Councilman Barber, Council voted to approve the monthly bills to be paid 10 January, 2007, in the amount of \$696,490.13. AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

PUBLIC HEARING REQUEST – Town Manager Terpenny presented the following request and recommended setting the Public Hearing for February 6, 2007:

1. Conditional Use Permit request, automobile auction house in the B-3 General Business District, Roanoke Street.

On motion by Councilman Barber, seconded by Councilman Wade, Council voted to set the Public Hearing for February 6, 2007. Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER TERPENNY presented Council with a request by TransDominion Express (TDX) for localities to make an additional contribution this year equal to the amount they typically contribute annually. For Christiansburg, the additional amount would be one thousand dollars. New legislation has recently been passed requiring TDX to take more lobbying action, which would require the hiring of a full-time employee. The additional funding from contributing localities will be used towards hiring an employee. Manager Terpenny commented that TDX is continuing to grow and he supports its efforts. Manager Terpenny further commented that this will probably be a one time request, but since it wasn't budgeted this year, it may need two actions by Council. Councilman Wade made a motion to approve TDX's request for an additional one thousand dollar contribution, seconded by Councilman Canada. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

AQUATIC CENTER UPDATE – Town Manager Terpenny reported that crews were currently installing new storm drains on site. There is much underground work to be done, but the work is continually progressing. Councilman Barber asked when the Town can expect a report from OSHA on the fatal accident that occurred on the aquatic center site in December. Manager Terpenny replied that the Town will not receive that report for six months or more.

COUNCILMAN CANADA informed Council that he plans to add "Revitalization of the Downtown Area" to the next Town Council agenda, for Council discussion. He would like Council to discuss ideas for drawing folks to the downtown area.

MAYOR BALLENGEE said he has received complaints regarding the Parks and Recreation Center's hours during the holidays. Mayor Ballengee asked Councilman Barber, who is Council representative to the Parks and Recreation Commission, to discuss with the Commission the possibility of staggering employee hours to keep the Recreation Center open during the holidays. Councilman Barber said the Commission has recently discussed this matter and he will bring the Mayor's request to the Commission's attention at the next monthly meeting.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 9:24 P.M, on motion by Councilman Barber, seconded by Councilman Canada. Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

Michele M. Stipes, Clerk of Council

Richard G. Ballengee, Mayor