

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF FEBRUARY 6, 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 FEBRUARY 6, 2007 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Ballengee, Councilmembers Barber, Canada, Huppert, Stipes, and Wade. COUNCIL MEMBERS ABSENT: Councilwoman Carter. Also present Town Manager Terpenny, Assistant Town Manager Helms, Town Clerk Stipes, and Town Planner Hair. ABSENT: None.

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

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

Pledge of Allegiance led by Councilman Barber.

JOINT PUBLIC HEARING

1. A Conditional Use Permit request by Greg Nagy (agent for property owner L & R Burch Properties, L.L.C.) for a vehicle auction at 2000 Roanoke Street (tax parcel 499 – ((A)) – 14) in the B-3 General Business District. Mr. Jim Wessell addressed Council, on behalf of Mr. Roger Woody and himself, in opposition to this request. Mr. Wessell read a letter from Roger Woody, who was unable to attend tonight's meeting, opposing an automobile auction in a retail district. Mr. Wessell agrees with Mr. Woody's thoughts. Mr. Greg Nagy responded by saying that the location chosen, consisting of five acres, had remained vacant and unused for many years. The property is located adjacent to an industry, and is surrounding by commercial properties. It is completely separated from any residential properties. Mr. Nagy owns the swap shop located on the property, and Mr. Nagy said there is a demand for an auto auction by his customers. An automobile auction, he said, will help keep up with the growth outlined in the Town's comprehensive plan, and will bring business and resources into our community. His plan is to create a public automobile auction, which would be held twice a week, in the evening. Mr. Nagy said his swap shop business is not viable and he has considered closing several times. He has remained open to satisfy his customers and believes the automobile auction will help sustain the existing swap shop.

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 January 16, 2007. There being none the Minutes were approved as presented.

MAYOR BALLENGEE asked Councilman Brad Stipes to introduce two visiting Boy Scout members. Councilman Stipes welcomed Austin Spencer and Luke Chamberlain of Boy Scout Troop #141 to tonight's meeting. Councilman Stipes encouraged Austin and Luke to continue their involvement with the Boy Scouts and their advancement towards Eagle Scout. Mayor Ballengee commented that Councilmen Stipes and Barber are both Eagle Scouts. Austin and Luke are working towards earning a merit badge in Citizenship in the Community.

MAYOR BALLENGEE closed the Joint Public Hearing and the Planning Commission withdrew to consider the request and to make its recommendation.

CITIZEN HEARINGS:

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

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

1. A Conditional Use Permit request by Greg Nagy (agent for property owner L & R Burch Properties, L.L.C.) for a vehicle auction at 2000 Roanoke Street (tax parcel 499 – ((A)) – 14) in the B-3 General Business District. At Chairperson Simmons' request, Secretary Terpenny read the Planning Commission's resolution recommending Town Council issue the requested Conditional Use Permit with eleven (11) conditions. A copy of the resolution and eleven conditions is attached herewith and made a part of these minutes.

KAREN MYERS OF THE MARCH OF DIMES TO ADDRESS COUNCIL. Ms. Myers was unable to make it to tonight's meeting. However, Mayor Ballengee presented Council with a letter of request from the March of Dimes. The March of Dimes is requesting permission to hold the March of Dimes WalkAmerica 2007 in Christiansburg on April 28, 2007. Registration would be at 9:00 a.m. and the walk would begin at 10:00 a.m. There will be a ribbon cutting by Bill McChain of EchoStar, who is the Walk Chair, and a second ribbon cutting by the Ambassador family. The March of Dimes has worked closely with the Christiansburg Police Department

regarding walk routes and safety concerns. The March of Dimes is requesting a police escort to begin the walk and travel with the walkers; security for the walkers at College Street; a police escort to count the money obtained by the walks; and a police escort to the BB&T Bank in Cambria to make deposit. The news media and radio stations will be contacted to bring attention to the walk and the Town of Christiansburg. The March of Dimes intends to make this an annual event in Christiansburg. Councilman Wade said this is an excellent way to bring people and attention to the downtown area and he made a motion to approve the request, seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.

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:

1. A Conditional Use Permit request by Greg Nagy (agent for property owner L & R Burch Properties, L.L.C.) for a vehicle auction at 2000 Roanoke Street (tax parcel 499 – ((A)) – 14) in the B-3 General Business District. Councilman Barber made a motion to approve the request, seconded by Councilman Wade. Councilman Stipes commented that he is in favor of the Moore building being utilized and will support the plan for a community auction since there will be a twelve month compliance review. Councilman Canada was initially in favor of a six month review, rather than twelve month, until Town Manager Terpenny clarified that the CUP could be revoked at anytime for noncompliance. Manager Terpenny also clarified that Conditional Use Permits are monitored by a Police Department ordinance officer, the Town Planning Department, and by the Assistant Town Manager and Town Manager. Council voted on the motion as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.

RESOLUTION TO VDOT REQUESTING ANNUAL STREET MAINTENANCE PAYMENTS FOR NEW STREETS.

Town Manager Terpenny presented Council with a resolution requesting VDOT to accept eight (8) additional streets for annual maintenance payments. The streets total 2.426 lane miles. A copy of the resolution is attached and made a part of these minutes. On motion by Councilman Barber, seconded by Councilman Wade, Council voted to approve the resolution to VDOT requesting annual street maintenance payments for new streets. Council voted as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.

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

1. Plat of subdivision of tract "A", Peppers Ferry, Phase I being part of tax parcel 435-(10)-A; creating 2 lots; Quin W. Steward Blvd., N.W. Councilman Barber explained that this request involves creating a lot for the lake, which will be dedicated to the Homeowners' Association. All is in order with the plat and Councilman Barber made a motion to approve the request, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.
2. Plat showing subdivision of lot 4 "Harry Schaeffer Lots"; creating 2 lots; Shaffer Drive, N.E. & Depot Street, N.E. Councilman Barber explained that this request is to divide one large lot into two lots. The property is zoned B-3 General Business and the owners would have to bring a request to Council if they decided to develop residential. All is in order with the plat and Councilman Barber made a motion to approve the request, seconded by Councilman Huppert. Council voted on the motion as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.
3. Lot line adjustment plat of lot 120-A and 121-A, Windmill Hills, Section XII; 2 lots; Wenn Drive, N.W. Councilman Barber explained that this lot was previously adjusted by Council. However, the plat was recorded, but not the deed, since the owners have decided not to go through with the adjustment. This request will bring the lot line back to its original state. All is in order with the plat and Councilman Barber made a motion to approve the request, seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER REPORTS:

MONTHLY BILLS – On motion by Councilman Wade, seconded by Councilman Barber, Council voted to approve the monthly bills to be paid 10 January, 2007, in the amount of \$1,269,493.90. AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.

PUBLIC HEARING REQUEST – Town Manager Terpenny presented the following requests and recommended setting the Public Hearings as indicated:

March 6, 2007

1. Drainage easement vacation request, Corning Drive and Midway Plaza Drive.
2. Fifteen foot (15') public utility and drainage easement vacation for Marshall Concrete, Yellow Sulfer Road.
3. Conditional Use Permit request for residential use in the B-3 General Business District, Shaffer Drive.

March 20, 2007

1. Numerous, minor amendments to the *Christiansburg Town Code*.

On motion by Councilman Barber, seconded by Councilman Stipes, Council voted to set the Public Hearings as indicated. Council voted as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER TERPENNY said that the New River Valley Agency on Aging has sent its member jurisdictions a request to obtain legal counsel from Montgomery County's attorney, Marty McMahon. Council has no objection to this request and it is the consensus of Council to give its approval to the New River Valley Agency on Aging.

TOWN MANAGER TERPENNY reported that the Town has received a request from Clear Creek Waterworks, L.L.C. to close Commerce Street on May 12, 2007, for approximately two hours. Clear Creek Waterworks, L.L.C., located in the former Pete Beller office, plans to celebrate its grand opening during National Water Drinking Week, which is May 6th – 12th. The company wants to set up a well drilling demonstration on Commerce Street, and also plans to have live music by the Celta Billies band. Councilman Huppert said this is an excellent event to draw folks to the downtown area and to generate downtown business. Each Councilmember agreed. Councilman Canada made a motion to approve the request by Clear Creek Waterworks, L.L.C. to close Commerce Street on May 12th for approximately two hours. Councilman Barber seconded the motion and Council voted as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.

TAXI CAB LICENSE APPLICATION – Town Manager Terpenny submitted to Council a taxi cab license application for Bonnie Jo Finn to drive for Christiansburg Cab. The Police Department has investigated the applicant and recommends approval. On motion by Councilman Barber, seconded by Councilman Wade, Council voted to approve the license application for Bonnie Jo Finn as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.

MAYOR BALLENGEE thanked those who attended the VML Legislative Day on February 1, 2007.

COUNCILMAN HUPPERT asked when construction is to begin at the aquatic center site. Town Manager Terpenny replied that construction should begin by the end of February.

COUNCILMAN BARBER reported to Council on his meeting with Art Price, and the Parks and Recreation Commission, regarding recreation center holiday closings. The recreation center is closed only seven (7) holidays per year, and there is not good attendance on the holidays the center remains open. Councilman Barber will continue to work with Art and the Commission on this matter.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 8:41 P.M, on motion by Councilman Stipes, seconded by Councilman Barber. Council voted as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.

Michele M. Stipes, Clerk of Council

Richard G. Ballengee, Mayor