

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF MARCH 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 MARCH 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 Terpenney, 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.

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

PLEDGE OF ALLEGIANCE.

**JOINT PUBLIC HEARING**

1. Council's intent to adopt an ordinance amending Chapter 30 "Zoning" of the Christiansburg Town Code in regards to definitions of "family", "related by blood", "unrelated individual", and "kennel", provisions for emergency and natural disaster, lighting, setbacks, permitted uses including tattoo parlors and body piercing establishments, number of unrelated individuals per dwelling unit, allowances for planned housing developments in R-1 Single-Family Residential and R-2 Two-Family Residential Districts with a Conditional Use Permit, height provisions, accessory buildings in townhouse developments, site plan review, averaging lot area and cluster subdivisions, portable storage containers, and telecommunications structures, and nonconforming uses. Mayor Ballengee commented that the Planning Commission has been working on these changes for some time now, which will bring the zoning code up-to-date and will clarify several issues that have been raised in the past. Town Manager Terpenney commented that Council has had the past few weeks to review a summary of these changes, and he is available to answer any questions. Mr. George Shaffer asked if the skate park will still meet the parking requirements. Manager Terpenney said it will because there are no changes to the parking guidelines at this time.

**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 March 13, 2007, and the minutes to the March 16, 2007 Special meeting.. There being none the Minutes were approved as presented.

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.

MR. TOM POFF TO ADDRESS COUNCIL. Mr. Tom Poff requested a public hearing for an amendment to the subdivision ordinance to allow subdivisions on a private street. He asked that Town Council consider allowing a private street with a maintenance agreement between the property owners served by that private street. Mr. Poff believes this amendment would assist with in-fill development of land locked lots. Mayor Ballengee turned this request over to the Planning Commission, and the Street Committee, for review and recommendation.

MR. SHANE ADAMS OF THE MONTGOMERY COUNTY CHAMBER OF COMMERCE TO ADDRESS COUNCIL. There was no representation from the Montgomery County Chamber of Commerce present to address Council.

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

1. Council's intent to adopt an ordinance amending Chapter 30 "Zoning" of the Christiansburg Town Code in regards to definitions of "family", "related by blood", "unrelated individual", and "kennel", provisions for emergency and natural disaster, lighting, setbacks, permitted uses including tattoo parlors and body piercing establishments, number of unrelated individuals per dwelling unit, allowances for planned housing developments in R-1 Single-Family Residential and R-2 Two-Family Residential Districts with a Conditional Use Permit, height provisions, accessory buildings in townhouse developments, site plan review, averaging lot area and cluster subdivisions, portable storage containers, and telecommunications structures, and nonconforming uses. At Chairperson Simmon's request, Secretary Terpenney reported the Planning Commission's resolution recommending Town Council adopt the amendment to Chapter 30 "Zoning" of the Christiansburg Town Code as proposed.

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. Council's intent to adopt an ordinance amending Chapter 30 "Zoning" of the Christiansburg Town Code in regards to definitions of "family", "related by blood", "unrelated individual", and "kennel", provisions for emergency and natural disaster, lighting, setbacks, permitted uses including tattoo parlors and body piercing establishments, number of unrelated individuals per dwelling unit, allowances for planned housing developments in R-1 Single-Family Residential and R-2 Two-Family Residential Districts with a Conditional Use Permit, height provisions, accessory buildings in townhouse developments, site plan review, averaging lot area and cluster subdivisions, portable storage containers, and telecommunications structures, and nonconforming uses. Councilman Stipes said he would like additional time to finish reviewing the changes and he made a motion to postpone action until the next regular Town Council meeting. Councilman Canada seconded the motion, commenting that he, too, would appreciate additional time for further review and clarification of some of his questions. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

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

1. Plat of electric utility easement through Diamond Hill Park. Councilman Barber explained that this property, off Scattergood Drive, is the Town's planned, but undeveloped, park. American Electric Power wants to use the property as an additional electrical source for the Diamond Hill/Windmill Hill subdivisions. Councilman Barber made a motion to approve the request, seconded by Councilwoman Carter. Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.
2. Plat of Subdivision for John W. Eanes, Jr., 2 lots, Radford Street. The request for this property is to split one lot into two lots. The property is zoned B-3 General Business District. All is in order with the plat and Councilman Barber made a motion to approve the request, seconded by Councilman Wade. Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.
3. Plat of Boundary Line Adjustment of tax parcel 435-(A)-43, lot B. Councilman Barber explained that this is the Red Robin property near the New River Valley Mall. The restaurant and its parking lot are currently on separate lots and this boundary line adjustment will put both on one lot. All is in order with the plat, subject to minor administrative changes. Councilman Barber made a motion to approve the request, seconded by Councilman Canada. Council voted as follows: AYES: Barber, Canada, Carter, Huppert, and Wade. NAYS: None. ABSTAIN: Stipes.

CLOSED MEETING:

1. Request for a Closed Meeting under Section 2.2-3711 A(1), *Code of Virginia*, for the discussion of personnel matters – Chief of Police position. On motion by Councilman Wade, 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. Upon a motion by Councilman Barber, seconded by Councilman Wade, 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.

4. COUNCIL ACTION ON THE MATTER – Councilman Barber made a motion to appoint Mark Sisson as Christiansburg Police Chief at a starting, annual salary of fifty-eight thousand four hundred twenty-three dollars (\$58,423). Councilman Canada seconded the motion and Town Clerk Stipes polled Council as follows: Barber – AYE; Canada – AYE; Carter – AYE; Huppert – AYE; Stipes – AYE; and Wade – AYE.

#### TOWN MANAGER REPORTS:

PUBLIC HEARING REQUEST – Town Manager Terpenney presented the following request and recommended setting the Public Hearing for April 17, 2007:

1. Right-of-way vacation request, unbuilt portion of Providence Boulevard.

On motion by Councilman Barber, seconded by Councilman Stipes, Council voted to set the Public Hearing for April 17, 2007. Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER TERPENNEY reported that the Town has received a request to extend the public sewer along Orchard Street. Mayor Ballengee turned the request over to the Water and Sewer Committee for review and recommendation.

TOWN MANAGER TERPENNEY gave each Councilmember a copy of the Tourism and Marketing Agreement, compiled by the Town's attorneys, reflecting the changes desired by Council and other changes consistent with Blacksburg's changes. Manager Terpenney asked Council to review the document for possible adoption at the April 3, 2007 meeting.

MAYOR BALLENGEE commented that he will contact Shane Adams of the Montgomery County Chamber of Commerce regarding a possible misunderstanding of the date he planned to come before Council.

MAYOR BALLENGEE said he will have a *Code of Conduct* draft prepared for Council's review at the next Town Council meeting. At the VML Newly Elected Mayors' Conference, localities were encouraged to adopt a *Code of Conduct* to be used as a guideline for its Council members. Mayor Ballengee hopes Council will take this into consideration.

#### ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 9:26 P.M, on motion by Councilman Barber, seconded by Councilman Wade. Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor