

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF APRIL 3, 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 APRIL 3, 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 Memmer.

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

PLEDGE OF ALLEGIANCE.

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 20, 2007. 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. SWEARING INTO OFFICE – POLICE CHIEF MARK SISSON. Mayor Ballengee summarized the process of selection for the Police Chief position and proudly announced that Mark A. Sisson, one of Christiansburg's own, was selected to serve as Chief of Police. Police Chief Sisson took an oath of office as he was sworn in by Allan C. Burke, Clerk of Circuit Court of Montgomery County. Chief Sisson was then presented with an honorary gift from the Montgomery County Gideon Camp. Chief Sisson thanked all that were present and said he is honored to have been given this opportunity to serve the community, and to work with other law enforcement personnel, in this capacity. Chief Sisson invited those present to attend a reception at a local church immediately following the meeting.
2. RESOLUTION OF RECOGNITION FOR CHRISTIANSBURG HIGH SCHOOL BLUE DEMONS WRESTLING TEAM. Vice-Mayor Huppert congratulated the Christiansburg High School wrestling team on its sixth, consecutive State championship. Vice-Mayor Huppert then introduced the Blue Demons' head wrestling coach, Daryl Weber, who presented his team to Council as follows:

Cody Gardner, who won his fourth State tournament, is now ranked the best wrestler in the State, the best 215lb wrestler in the State, and the best “all weight” wrestler in the country. Cody has accepted a full scholarship to Virginia Tech.

Freshman Devon Carter, 103lbs, 2nd place.

Sophomore Andrew Robertson, 112lbs, two time State place winner.

Sophomore Ian Squires, 119lbs, State qualifier and runner up in 2006.

Sophomore Drew Squires, 125lbs, State champion.

Senior D.J. Weightman, 130lbs, two time State place winner.

Senior Timmy Miles, 135lbs, two time State champion.

Sophomore Derrick Woody, 140lbs, State place winner.

Sophomore Andrew Clement, 145lbs, two time State champion.

Senior Luke Brew, 152lbs, State champion.

Junior Sam Rakes, 160lbs, two time State champion.

Senior Bret Buckner, 171lbs, State champion.

Senior Charles Weber, 189lbs, State champion.

Sophomore John Weber, heavy weight, State place winner.

Coach Weber also introduced Assistant Coach Alvin Shepherd, who has been a part of the Christiansburg wrestling program for ten years, and Assistant Coach Brian Shortridge, who has been with Christiansburg for five years. Coach Weber commended his assistant coaches for their valuable contribution to the wrestling program. Mayor Ballengee then presented Coach Weber and his team with a Resolution of Recognition for the team's sixth consecutive victory at the 2007 Virginia State AA Championship Wrestling Matches held in Salem, Virginia. Councilman Barber made a motion to adopt the Resolution, seconded by Councilman Stipes. Council voted on the motion 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.

3. CODE OF ETHICS PRESENTATION. Mayor Ballengee gave each Councilmember a draft copy of a Code of Ethics he prepared for Council's review. The Virginia Municipal League recommends that each locality adopt a Code of Ethics to be used as a guideline by Town Council. Mayor Ballengee asked Council to review the proposed document for discussion at a future Town Council meeting.
4. COUNCIL ACTION ON PROPOSED AMENDMENTS TO CHAPTER 30 "ZONING" OF THE *CHRISTIANSBURG TOWN CODE* (POSTPONED FROM THE MARCH 20, 2007 REGULAR TOWN COUNCIL MEETING). Councilman Barber made a motion to adopt the proposed amendments to Chapter 30 "Zoning" of the *Christiansburg Town Code*, seconded by Councilman Wade. Councilman Stipes commended the Planning Commission, Town Manager Terpenny, and Planning Director Wingfield for a job well done in creating the amendments, which will update and clarify the zoning ordinance. Councilman Stipes did have two suggestions, the first, on page 2, he recommended changing the "legal guardianship" wordage; and second, on page 20, Councilman Stipes recommended that, in the I-1 Limited Industrial zoning, the setback for an outbuilding structure be changed from twenty feet to forty feet. Councilman Stipes commented that he is pleased that the mixed use table is consistent with the R-1 Single-Family Residential zoning. Mayor Ballengee asked if there were any questions. Councilman Barber commented that he concurs with Councilman Stipes regarding the outbuilding structure setback in the I-1 Limited Industrial zoning. Councilman Stipes made a motion to amend the proposed motion to increase the setback for an outbuilding structure in the I-1 Limited Industrial zoning from twenty feet to forty feet, and to amend the "legal guardianship" wordage. Councilman Wade 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. Plat of Beverly Hills Resubdivision, Lots A, B & C for Circle Drive Townhomes, 9 lots, Circle Drive, S.E. Councilman Barber explained that the developer wants to attach two townhomes to an existing house and add six more townhomes to the property for a total of nine townhomes. Councilman Barber commented that he is uncomfortable allowing townhomes in this sixty-year old, well-established neighborhood, but the land is zoned for townhomes, and the developer's plan is not as invasive as it could be. Mayor Ballengee commented that the Town may receive complaints once residents realize townhomes are being built in this mostly R-1 Single-Family Residential and R-2 Two-Family Residential neighborhood. Town Attorney Memmer stated that the Town has no obligation to publicize the request since the property is already zoned for multi-family usage. Councilman Barber made a motion to approve the request, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Canada, Carter, Huppert, Stipes, and Wade. NAYS: Barber.

TOWN MANAGER REPORTS:

MONTHLY BILLS – On motion by Councilman Barber, seconded by Councilman Wade, Council voted to approve the monthly bills to be paid 10 April, 2007, in the amount of \$933,144.94. AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

PUBLIC HEARING REQUEST – Town Manager Terpenny presented the following requests and recommended setting the Public Hearings for May 1, 2007:

1. Easements and lot line vacations for Midway Plaza Subdivision.
2. Rezoning request, 160 – 190 Chrisman Street, R-3 Multi-Family Residential to B-2 Central Business District.
3. Conditional Use Permit request, major home occupation, water testing lab in the R-1 Single Family Residential at 1140 Peppers Ferry Road.

On motion by Councilman Barber, seconded by Councilman Huppert, Council voted to set the Public Hearings for May 1, 2007. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER TERPENNY reported that the Town has received a request from the March of Dimes to close Hickok Street for several hours on April 28, 2007, for its annual walk. Registration for the walk will begin at 9:00 a.m., with the walk beginning at 10:00 a.m. Council action is required to close this public street. Councilman Wade commented that this is a great event to draw folks to the downtown area and he made a motion to grant the request, seconded by Councilman Huppert. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER TERPENNY reported that a request has been received from H.T. Bowling to close Main Street in order to set three manholes that require extensive excavating. Manager Terpenny told H.T. Bowling that closing Main Street during daytime hours was not an option, but that Council may consider closing Main Street during night time hours. Town Manager Terpenny recommends that Main Street be closed for three nights from 8:00 p.m. to 6:00 a.m. Councilman Stipes commented that the contractor's willingness to work at night, in order to complete the job, reflects well on the contractor. Town Council gave its consensus to close Main Street for three nights from 8:00 p.m. to 6:00 a.m. in order for H.T. Bowling to set three manholes.

TOURISM AGREEMENT – Mayor Ballengee reported that a representative from the Montgomery County Chamber of Commerce will be present at the April 17th Town Council meeting, and Town Council will have the opportunity to comment/question the Tourism Agreement at that time. Changes made to the agreement by Town Attorneys, at Council's direction, are (1) the Executive Director of the Chamber will report to Council on specific dates set by Council; and (2) funding budgeted is an estimate of revenue to be collected in the coming year. According to Manager Terpenny, Blacksburg has proposed to give one-percent of their estimated, budgeted amount, which could result in a year-end overage or underage. Manager Terpenny recommends Christiansburg give one-percent based on actual revenue collected. Christiansburg committed to paying the one-percent lodging tax at the Montgomery County Chamber of Commerce's request in 2005. Since that time, Town Council has been concerned with the lack of accountability demonstrated by the Chamber regarding the lodging tax it is collecting each month from Christiansburg. Town Council discussed several options for managing the lodging tax, including hiring a director internally to promote tourism. However, after much discussion, Town Council decided to sign the Tourism Agreement, allowing it the opportunity to succeed. If the program does not succeed, or does not meet the Town's expectations, which are detailed in the Agreement, an opt-out clause has been included in the Tourism Agreement. Before signing the Agreement, Town Council directed Manager Terpenny to ask Shane Adams of the Chamber to commit to the following: (1) a specific percentage of the lodging tax to be designated to grants; (2) the Executive Director will be the person to report to Council on specific dates set by Council; and (3) the one-percent lodging tax paid by Christiansburg will be based on actual funds collected, not estimated funds. On motion by Councilman Wade, seconded by Councilman Barber, Town Council authorized Town Manager Terpenny to sign the Tourism Agreement, on its behalf, after Manager Terpenny has discussed the three matters with Shane Adams, and has received a commitment from Mr. Adams to his satisfaction. Town Clerk Stipes polled Council as follows: Barber – AYE; Canada – AYE; Carter – AYE; Huppert – AYE; Stipes – AYE; Wade – AYE. NAYS: None.

COUNCILMAN WADE asked for an aquatic center update. Manager Terpenny responded that the document establishing the funding partnership between Christiansburg and Virginia Tech has not been finalized. Construction will begin on the site once the funding contract is adopted.

ADJOURN:

There being no further business to bring before Council, Mayor Ballengee declared the meeting adjourned at 8:47 P.M.