

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF APRIL 17, 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 17, 2007 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Ballengee, Councilmembers Barber, Canada, Huppert, Stipes, and Wade.
COUNCIL MEMBERS ABSENT: Councilmember Carter. Also present Town Manager Terpenney, 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 led by Councilman Stipes.

MAYOR BALLENGEE requested a moment of silence in memory of, and in honor of, the victims, and their families, of the tragic shooting at Virginia Tech yesterday, Monday, April 16, 2007.

MAYOR BALLENGEE announced that his office received, from the Virginia Municipal League, a Proclamation by the President of the United States honoring the victims of the tragedy at Virginia Tech on Monday April 16, 2007. The Proclamation ordered that all flags of the United States, within the U.S. and abroad, be flown at half-staff until sunset, Sunday, April 22, 2007. A copy of the Proclamation is attached herewith and made a part of these minutes.

PUBLIC HEARING

1. Council's intention to adopt an ordinance in regards to a request by Roger Woody to vacate an unbuilt portion of Providence Boulevard (approximately 32,599 square feet located between tax parcels 466 – ((6)) – 3 and 4). Town Manager Terpenney explained that, in 1988, Sonny Gibson of Sleepy Hollow, Inc. platted a major subdivision in the Windmill Hills area. Since then, several, platted, but unbuilt, right-of-ways have been vacated, and this request is to vacate the remaining right-of-ways originally platted. To vacate this right-of-way will have no affect on 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 April 3, 2007. There being none the Minutes were approved as presented.

CITIZEN HEARINGS:

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

MS. PAULA KAY DAVIS, along with her husband Jackie, addressed Council regarding their concerns with the traffic along Stafford Drive. The Davis' have lived on Stafford Drive for eight years and are concerned with the increase in cars and trucks exceeding the speed limit along this drive. The police do patrol this area, but Ms. Davis said that the officers are too visible when running radar, and would be more successful controlling the speeding if they ran radar in a less visible area along Stafford Drive. The speeders, she said, tend to be the residents of Stafford Drive. The Davis' are asking Council's help in finding a resolution to this matter. Mayor Ballengee asked if the speed limit is clearly posted. Ms. Davis said that there are three posted 25 MPH speed limit signs along Stafford Drive. Town Manager Terpenney said he would consult with the police department regarding this matter. Mayor Ballengee asked the Davis' to return to Council if they do not see improvement within a few weeks.

SHANE ADAMS OF THE MONTGOMERY COUNTY CHAMBER OF COMMERCE TO ADDRESS COUNCIL – Mr. Dave Edwards, Chairman of the Board of Directors for Montgomery County Chamber of Commerce, introduced himself and several other attending board members. He then turned the floor over to Shane Adams. Mr. Adams thanked Council for its continued support, because of which, the tourism program has continued to grow. Mr. Adams gave each

Councilmember a spreadsheet indicating the Blacksburg-Christiansburg Visitor Center profit and loss for the period July 1, 2006 through March 15, 2007. Council was also provided a comparison sheet for 2003, 2004, and 2005 indicating travel impacts such as expenditures, payroll, employment, and state and local tax receipts; and excise tax collections, and excise tax rates. Mr. Adams also reviewed with Council an outline of the transient occupancy taxes for Virginia localities. The philosophy of the Chamber of Commerce, explained Mr. Adams, is that the key to successful economic development in a community begins with delivering a memorable visitor experience. This is what the Chamber of Commerce wants to accomplish through its many plans for the visitor center. Mr. Adams showed Council several Christiansburg advertisements that have been placed in Virginia publications, including a fourteen thousand dollar advertisement placed in the Virginia Travel Guide. The Chamber of Commerce received five thousand seventy-eight leads from this one advertisement. Councilman Wade questioned the leads. Mr. Adams explained that leads are people requesting information specific to us or our region. When a lead is received, the Chamber places it in a computer spreadsheet and sends them a travel guide and other information pertaining to the request. The Chamber of Commerce receives approximately fifty thousand telephone calls per year, approximately one-third of which are leads. Many leads are received through the website. Leads are not solicited. Top ten states the Chamber has received requests for information from are: Virginia, Pennsylvania, North Carolina, New York, Ohio, New Jersey, Florida, Maryland, Texas, and Illinois. Council was also shown a future advertisement for possible inclusion in AAA publications. The Town has seen an increase in housing and restaurant tax in 2006, and Mr. Adams hopes it is the result of advertising efforts. Councilman Wade asked what process is used in determining where the tourism funding is used. Mr. Adams replied that three prominent Virginia guides have been chosen in the past, and that the Chamber of Commerce is advised by the Tourism Development Commission on what kinds of leads can be expected from different ads. The Chamber is part of the Virginia Tourism Coop and is able to get reduced advertisement rates. Mr. Adams said he will have a marketing plan for Council's review before budget time. Mayor Ballengee asked if there is a way to track the funding brought into the area as a result of advertising. Mr. Adams said it would be hard to figure an exact amount, however, the Chamber will do some research that will give them representative figures. Councilman Huppert asked about other advertising options. Mr. Adams replied that website advertising is an option, as well as internet advertising, although expensive. Another option is editorials, which are more practical, and more valuable, than printed ads. Councilman Huppert also asked about promoting Christiansburg events. Mr. Adams replied that the Wilderness Trail Festival is heavily promoted by the Chamber. Concerning local grant funding, the Chamber has currently received four grant applications for review. The TDC will review the applications and make a decision on who receives the funding. Councilman Canada asked if the Chamber promotes nearby attractions not located in Christiansburg or the County. Mr. Adams said they typically promote attractions within a one hour driving distance from the County. The Chamber is currently working on a waterfall pamphlet. Town Manager Terpenney said that at Town Council's last discussion regarding the Tourism Agreement, he was directed by Town Council to get a commitment from the Chamber of Commerce regarding the following three changes Council made to the Tourism Agreement: (1) Twenty-five percent of lodging tax, paid to the Chamber, to be designated to local grants; (2) the Executive Director will 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. Mr. Adams, on behalf of the Chamber of Commerce, agreed to comply with these changes.

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

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

COUNCIL ACTION ON THE TOURISM AGREEMENT. Town Council is satisfied with the answers it received tonight from Shane Adams of the Montgomery County Chamber of Commerce regarding questions concerning revenue generated by the lodging tax, which is to be used by the Chamber of Commerce to promote tourism. Mayor Ballengee directed Town Manager Terpenney to sign the Tourism Agreement, as presented, on behalf of Town Council.

COUNCIL ACTION ON THE STREET VACATION REQUEST BY ROGER WOODY. Councilman Barber made a motion to approve the request, seconded by Councilman Canada. Council voted on the motion as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.

RESOLUTION SUPPORTING MONTGOMERY COUNTY BOARD OF SUPERVISORS AUTHORITY OVER LAND USE DECISIONS. At the request of the Montgomery County Board of Supervisors, Mayor Ballengee presented Council with a Resolution supporting Montgomery County in its opposition of Norfolk and Southern placing an intermodal facility in the Shawsville/Elliston area of the County. Mayor Ballengee commented that he is not opposed to the intermodal facility, but wants to support the Board of Supervisor's efforts. Councilman Stipes said he is one-hundred percent in favor of the intermodal facility and is not in favor of signing a resolution discouraging the facility. Councilman Stipes believes this facility would be of great benefit to Montgomery County and the surrounding areas. Councilman Wade commented

that he has not heard much opposition from citizens regarding the intermodal facility, but did point out that the facility does not fit into the comprehensive plan for that area. Mayor Ballengee said there hasn't been much discussion in Christiansburg about the facility. Town Manager Terpenney stated that the resolution is not in opposition to the intermodal facility, but rather, support for Montgomery County's efforts to regulate land use within its jurisdiction. Councilman Barber pointed out that Christiansburg has a good working relationship with Norfolk and Southern and he questioned the impact this resolution would have on future interactions between the Town and the railroad. Manager Terpenney commented that it could possibly have a negative impact; however, he said, it is important not to jeopardize the working relationships with either Norfolk and Southern or Montgomery County. Councilman Stipes suggested revising the resolution, omitting the words "Norfolk and Southern" and "intermodal facility", and changing the wording "Board of Supervisors" to "local government". Councilman Stipes believes by making these changes the Town is showing support of local government authority to regulate land use within its jurisdiction, without being specific enough to damage the Town's relationship with Norfolk and Southern, or to discourage the intermodal facility. Council agreed to the amendments suggested by Councilman Stipes, and Councilman Barber made a motion to adopt the resolution as amended. The motion was seconded by Councilman Wade and voted upon by Council as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None. A copy of the adopted resolution is attached herewith and made a part of these minutes.

APPOINTMENTS TO THE VIRGINIA MUNICIPAL LEAGUE COMMITTEES. Mayor Ballengee reported the appointments to the Virginia Municipal League Committees as follows:

Environmental Quality – Councilman Canada
Finance – Councilman Wade
General Laws – Councilwoman Carter and Mayor Ballengee
Human Development & Education – Councilman Huppert
Transportation – Councilman Barber and Councilman Stipes

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

1. Plat showing subdivision of Lot 4, Peyton Place; 2 lots; Depot Street, NW and Hillcrest Drive. Councilman Barber explained that this request is to divide one lot into two for the construction of a duplex. 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.
2. Plat showing relocation/vacation of lot lines and public and/or private utility & storm drainage easements, Lots 4A & 5, Section Two, Sturgill Acres; 2 lots; Stafford Drive, NW. Councilman Barber reported that this request is the result of an agreement between family members to expand Lot 4A, adjust the lot lines and vacate the easements. 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.
3. Minor subdivision plat for Reginald Altizer, 2 lots, Garnett Drive. Councilman Barber explained that this property, recently purchased by Mr. Altizer, is 3.2 acres with an existing house. Mr. Altizer wants to cut off the .06 acres containing the house, for sale. 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.
4. Private street subdivisions. At the request of Mr. Tom Poff several meetings ago, the Planning Commission and the Street Committee met to discuss the matter of creating subdivisions that are only accessed by long private driveways. The private street would not be maintained by the Town, nor would there be any municipal services. Upon discussing this matter the Planning Commission unanimously agreed not to allow this type of subdivision within Town limits, and the Street Committee agrees. Town Manager Terpenney explained that Town Code prohibits private street subdivisions, and to allow them, Town Code must be amended to allow builders to build subdivisions not accessed by public roads. The main concern with this type of subdivision is that it could fall back on the Town as the property changes hands throughout the years. Councilman Barber made a motion to not amend the Town Code to allow private street subdivisions. Councilman Huppert seconded the motion, and Council voted as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER REPORTS:

PUBLIC HEARING REQUEST – Town Manager Terpenney presented the following requests and recommended setting the Public Hearings for May 15, 2007:

1. Request for residential use in the B-2 Central Business District, Pepper Street.
2. Street vacation request for an unbuilt portion of New Village Drive.
3. Boundary Line Adjustment, Montgomery County.

On motion by Councilman Wade, seconded by Councilman Stipes, Council voted to set the Public Hearings for May 15, 2007. Council voted on the motion as follows: AYES: Barber, Canada, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER TERPENNEY, on behalf of the Christiansburg Fire Department, invited Council to a fellowship dinner at the fire station celebrating Alan Shaw's twenty years of service with the fire department. The fellowship will begin at 6:00 P.M., with dinner at 7:00 P.M.

TOWN MANAGER TERPENNEY reported that the Christiansburg Police Department, Rescue Squad, and Fire Department were involved with the tragedy at Virginia Tech yesterday. All Christiansburg personnel are back home and have been debriefed by counselors. Chief Sisson personally interviewed the Town's police personnel involved. After consulting with Mayor Ballengee and our Recreation Director, Manager Terpenney sent letters to representatives of Virginia Tech offering the Christiansburg Recreation Center for additional space, if needed. Mayor Ballengee said there will be a prayer vigil tomorrow night at 7:00 P.M. at the Christiansburg High School, organized by several area churches. All are invited to attend.

TOWN MANAGER TERPENNEY reminded Council that the Harkrader Sports Complex grand opening will be held Saturday, April 21, at 9:00 A.M. All are invited to attend.

TOWN MANAGER TERPENNEY reported that Montgomery County Administrator, Clay Goodman, forwarded to him a request from Due South BBQ to use the County owned, vacant, grass area, next to Angle's Florist, for gatherings during the warm season. The gatherings would be open to the public and would offer food, drinks, including alcohol, and a temporary stage for live bands. Due South BBQ would be completely responsible for alcohol sales, and would require identification of its customers. The County is concerned about possible alcohol sales and consumption on County owned property. Manager Terpenney commented that alcohol sales may not be acceptable because Christiansburg is a conservative town. Councilman Barber and Councilman Canada strongly expressed their support of the request, whether or not alcohol sales are allowed, and both stated it is an excellent way to get citizens to come to the downtown area. An event, such as this, is what the downtown area needs to begin true revitalization. Councilman Wade suggested possibly creating a short-term lease between the County and Due South BBQ for use of the property. Mayor Ballengee commented that the event will probably need to be sponsored by some other entity and that the Town probably shouldn't be associated with the event if there are alcohol sales involved. Town Attorney Memmer said that the success of the event is probably dependent on alcohol sales. Councilman Wade commented that it is incredible that a merchant wants to organize and sponsor this kind of event in the downtown area and Councilman Canada agreed saying we need to get behind this 100%. Councilman Canada also pointed out that whoever applies for the alcohol license will be responsible for complying with the ABC laws. Town Manager Terpenney will discuss this matter further with Mr. Goodman and will report back to Council.

COUNCILMAN STIPES gave each Councilmember a copy of the Huckleberry Trail plat indicating future trail extensions. The plat was put together by Friends of the Huckleberry. Councilman Stipes wants each Councilmember to review the plat for discussion at a future Town Council meeting. Mayor Ballengee thanked Councilman Stipes and suggested discussing this matter at the first regular meeting in June.

ADJOURN:

There being no further business to bring before Council, Mayor Ballengee declared the meeting adjourned at 9:37 P.M.

