

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF NOVEMBER 21, 2006 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 NOVEMBER 21, 2006 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, Town Clerk Stipes, Town Attorney Memmer, and Town GIS Coordinator Travis Elkins. ABSENT: Assistant Town Manager Helms.

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

PLEDGE OF ALLEGIANCE.

**PUBLIC HEARING**

1. Council's intention to adopt an ordinance in regards to a request by Maxwell Brother's, L.L.C. to vacate an unbuilt 15-foot alley located north off of Depot Street, NW. Mr. Randall Maxwell, representative of Maxwell Brother's, L.L.C. said they have cleaned up and made improvements to the area and would like to own the alleyway property for future use. Mr. Maxwell said, to his knowledge, the Town has never utilized the alleyway. Mayor Ballengee said he and Council visited the site and he asked if there were easements located through the property. Manager Terpenny said there are no easements indicated on the plat. The Town did receive an email from Montgomery County Public Schools stating that the alley provides attachment from Depot Street to school property, and, while Montgomery County has no plans to utilize the property, it could be used as an easement for water and sewer in the future. Councilman Canada asked if there is a public easement either to the left or right of the alleyway, and if there is another way to run utilities to the MCPS property if needed in the future. Manager Terpenny replied that there are no easements shown by the Town or VDOT on the plat, and that the MCPS property can be accessed through Betty Drive for utility placement, if needed.

**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 November 7, 2006. There being none the Minutes were approved as presented.

**CITIZEN HEARINGS:**

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

MS. BEV WALTERS, DIRECTOR OF NRV CARES, and Mr. Max Cecil, a NRV Cares board member, addressed Council regarding NRV Cares' annual Tree of Hope program. Ms. Walters explained that NRV Cares is a nonprofit organization designed to protect children throughout the New River Valley from abuse through advocacy programs. The organization held its first annual Tree of Hope fundraiser two years ago in the Square in downtown Christiansburg. The fundraiser has been a success and she is requesting the opportunity to hold it again this year. The program raises money, and awareness, by selling Christmas tree lights throughout the New River Valley for five dollars each. The lights are then hung on the large evergreen tree in the downtown square. There is also a plaque placed near the tree informing people of the program. The lights will be displayed throughout the month of December. Manager Terpenny agreed that the fundraiser has been a success the past two years, and commented that the Town's Public Works Department has already begun hanging lights on the tree in anticipation of this request. Town Council voiced its support of NRV Cares and its Tree of Hope program. Councilman Barber made a motion to allow NRV Cares use of the evergreen tree in the downtown square for its Tree of Hope program for the next three years. Councilwoman Carter seconded the motion and Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

MR. JOHN CUMMINGS asked Council to consider extending town water out of town to his neighborhood of approximately twenty houses, located off Radford Road. Town water ends approximately one-fourth of a mile away from his neighborhood. Manager Terpenny said the Town could extend the water line at the homeowner's expense. The

homeowner would then be considered an "out-of-town" customer and would be charged a fifty percent higher rate than in-town customers. Mr. Cummings submitted a list of names and addresses of the homeowners in his neighborhood. Mayor Ballengee said he would turn this matter over to Assistant Town Manager Barry Helms, since he is familiar with this request. Manager Terpenny said the Town is authorized to extend water lines, at its discretion, within one-half mile of Town limits.

MR. AL HESLIP addressed Council concerning problems he continues to have with his neighbor over the recently vacated Nursery Lane. According to Mr. Heslip, there is a four inch discrepancy between his surveyor report and his neighbor's surveyor report, and he asked for the Town's help in resolving the difference. Mr. Heslip has been before Council several times because of an ongoing dispute with his neighbor over Nursery Lane. The Town vacated Nursery Lane as a way to resolve the issue. Mayor Ballengee told Mr. Heslip that the Town is no longer involved with Nursery Lane and that he needs to work out this dispute with his neighbor. Mr. Heslip also complained that the "Road Ends Ahead" sign the Town placed on Nursery Lane, at his request, is too small, and he would like a larger sign. Manager Terpenny said he would check the sign to see if it is a standard sized sign. Mr. Heslip also complained that his neighbor's bush, near the road, obstructs his view from his driveway, and asked if the Town can remove the bush. Manager Terpenny said he would see if the bush is in the Town right-of-way.

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

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

COUNCIL ACTION ON THE REQUEST BY MAXWELL BROTHER'S, L.L.C. TO VACATE AN UNBUILT 15-FOOT ALLEY LOCATED NORTH OFF OF DEPOT STREET, N.W. Councilman Wade made a motion to approve the request by Maxwell Brother's, L.L.C., to vacate an unbuilt 15-foot alley off Depot Street, seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

APPOINTMENT TO THE PARKS AND RECREATION ADVISORY COMMISSION. Mayor Ballengee reported that Doris Oliver's, Michael Saylor's, James Williamson's, and Donald Ashworth's terms on the Parks and Recreation Advisory Commission will expire December 31, 2006. All, except Donald Ashworth, have expressed an interest in reappointment. Councilman Barber recommended Kevin Stoner be appointed to fill the vacancy left by Mr. Ashworth. Mr. Stoner works part-time with the Recreation Department and has expressed an interest in serving on the Advisory Commission. Councilman Huppert also voiced his support for Kevin Stoner serving on the Parks and Recreation Advisory Commission. Councilman Barber made a motion to appoint Kevin Stoner to the Parks and Recreation Advisory Commission, and to reappoint Doris Oliver, Michael Saylor, and James Williamson to serve another term on the Parks and Recreation Advisory Commission. The motion was seconded by Councilman Huppert, and voted upon as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

MAYOR BALLENGEE gave each Councilmember a list of all the Christiansburg streets paved under VDOT's annual street paving program.

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

1. Part and parcel survey plat of vacated south and eastern r/w of Elm Street containing +/- 0.109 total acres, adjoining Suburban Hills Subdivision and Caldwell Manor Subdivision; 3 lots; Elm Street NE. Councilman Barber explained that Council has vacated excess street right-of-way adjacent to this property in the past, and owner, Billy Maddy, is requesting a small, internal access right-of-way be vacated. 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.
2. Windsong Heights Section 1 part and parcel plat for Golden Triangle Development, showing revised lots 26-29; 4 lots; Melody Drive and Windsong Lane. Councilman Barber explained that this revision is for four lot line adjustments, which will add approximately five feet to each lot. There are no changes being made to the common area. Councilman Barber made a motion to approve this request, subject to minor administrative changes, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.
3. Seneca Springs – Phase I Subdivision Plat for Golden Triangle Development showing new lots 1-3, containing 2.119 acres; 4 lots; Chrisman Mill Road. Councilman Barber explained that this property was rezoned and now this

plat creates three R-1 Single Family Residential lots. No changes have been made to the other properties on the original plat. Councilman Barber made a motion to approve the plat, seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER REPORTS:

TOWN MANAGER TERPENNY informed Council that the Town received a request from Montgomery County judges to place a memorial for Marie Harmon someplace within the Town of Christiansburg. They suggested planting a tree with an "in memory" plaque as part of the downtown revitalization project, or, possibly, placing a bench along the Huckleberry Trail. Marie Harmon, who passed away recently at the age of 81, was a retired District Court Clerk. Montgomery County would cover any costs associated with the memorial. It is the consensus of Council to allow Montgomery County to place such a memorial for Marie Harmon.

SOFTWARE UPGRADE – Manager Terpenny reported that the Town is ninety-five percent complete on its data conversion, and he hopes to begin using the new software by March. The upgrade will allow customers to make credit card and online payments for taxes and utilities. The upgrade will also allow payroll direct deposit.

MANAGER TERPENNY reported that Police Chief Gary Brumfield has agreed to extend his retirement date until February 28, 2007, which will provide extra time for the Town to find his replacement.

MANAGER TERPENNY reminded Council of the VML Legislative Day, which will be held on February 1, 2007 in Richmond. Blacksburg will be hosting the legislator dinner this year.

TOWN COUNCIL authorized the Town Manager to begin the bid process for the usual twenty-five dollar (\$25.00) employee Christmas gift certificates given each year to full-time, salaried and permanent, part-time employees from the Town. The bids are sent to Christiansburg grocery stores.

THE TOWN HAS RECEIVED the final draft of the tourism agreement with Montgomery County Chamber of Commerce. Town Attorney Elizabeth Dillon is reviewing the draft and he hopes to have it approved by the attorney, and before Council for review, by mid-December.

AQUATIC CENTER UPDATE – New concept drawings and construction drawings should be complete soon. Public Works crews are doing grading beside the bypass ramp near Sheetz, and the Town will be using the dirt from this site to fill the aquatic center site.

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

December 5, 2006:

1. Sale of lot in the Christiansburg Industrial Park to Community Housing Partners.

December 19, 2006:

1. Conditional Use Permit, major home occupation, gun sales in the R-3 Multi-Family Residential, Scott Street.

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

TOWN MANAGER TERPENNY reported that, at Mr. Wiggert's request at the November 7, 2006 meeting, he has studied possibilities for increasing the sight distance on Route 114 near the Villas of Peppers Ferry. One possibility is to cut back the nearby berm that obstructs the view of oncoming traffic. However, there are utilities located in the berm, as well as two telephone, or power, poles located nearby. The Town has contacted the utility companies about relocating the poles and utilities. The Town must now wait to hear back from the companies before continuing with any improvements to the berm. The Town may have to cover the cost of relocating the telephone poles and utilities, since it is not a part of VDOT's road widening project. Also, the speed limit on this section of road is currently 25 MPH and Manager Terpenny recommended posting another 25 MPH speed limit sign as reinforcement of the speed limit.

COUNCILMAN HUPPERT expressed his gratitude and appreciation for the many letters, cards, and gifts he and his wife, Janice, received after her car accident in North Carolina last week. Janice was hit by a drunk driver, but is now home and expected to make a full recovery.

MAYOR BALLENGEE commented on the nice article the News Messenger did on Councilwoman Ann Carter's life growing up in Montgomery County.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 8:13 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