

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF DECEMBER 5, 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 DECEMBER 5, 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, Assistant Town Manager Helms, Town Clerk Stipes, Town Planner Hair, and Town Attorney Memmer. ABSENT: None.

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

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

Pledge of Allegiance led by Assistant Town Manager Helms.

PUBLIC HEARING

1. Council's intention to adopt an ordinance in regards to a request by Richard H. Jones to vacate an unbuilt 12-foot alley located between First Street and Second Street. Mr. Greg Duncan, an adjoining property owner, voiced his support for this request and asked that Council approve vacation of the alleyway.
2. Council's intention to adopt an ordinance for disposition of public property on Industrial Drive (a 2.163 acre portion of tax parcel 500-((A))-5, lot 6 in the recently subdivided Christiansburg Industrial Park , Phase XI). Town Manager Terpenny amended the amount of acreage in this request to 1.480 acres. Other amendments are: The sale is of lot 3, and the development of this lot is Phase X. Mayor Ballengee reported that these changes do not affect the intent of the ordinance. There was no one to speak for or against this request.
3. Council's intention to adopt an ordinance for disposition of public property on Prospect Drive (an approximately 7 acre portion of tax parcel 500-((A))-5 in the Christiansburg Industrial Park). Town Manager Terpenny reported that the Town is in the process of negotiating this sale. There was no one to speak for or against this request.

JOINT PUBLIC HEARING

1. A request by Greg Nagy to amend Chapter 30 "Zoning" of the *Christiansburg Town Code* in regards to automobile auctions in the B-3 General Business District with a Conditional Use Permit. Town Manager Terpenny reported that this request is to amend the permitted uses in the B-3 General Business District to allow automobile auctions with a Conditional Use Permit. Automobile auctions are currently only allowed in the I-2 General Industrial District. If this amendment is approved by Council, the applicant will still have to apply for a Conditional Use Permit for a specific site. Mr. Greg Nagy gave Council an information sheet outlining the improvements he has made to, and future plans for, his Swap Shop site on Roanoke Street. He believes offering an automobile auction site will incorporate another avenue to help the community and give his existing Swap Shop business the boost it needs to become a viable operation. He said he has had some of his customers express interest in an automobile auction site and he believes his property is a prime location. The surrounding neighborhoods are buffered by trees, and he has not received any complaints from residents, only support. Ms. Karen Nagy said she participates in organizing fundraisers at the Swap Shop to benefit citizens in need. She is concerned that, without the automobile auction, the business may have to close its doors, and the community will lose a valuable asset.

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 21, 2006. 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.

MAYOR BALLENGEE welcomed Craig Moore to his first Town Council meeting serving on the Planning Commission.

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

1. A request by Greg Nagy to amend Chapter 30 "Zoning" of the *Christiansburg Town Code* in regards to automobile auctions in the B-3 General Business District with a Conditional Use Permit. At Chairperson Simmons request, Secretary Terpenny read the Planning Commission's recommendation to table the request for further review.

NATHANIEL L. BISHOP, SECRETARY, AND GREGORY SKULL, VICE-CHAIR, OF THE CHRISTIANSBURG INSTITUTE TO ADDRESS COUNCIL. Mayor Ballengee introduced Mr. Nathaniel L. Bishop who thanked Council for the opportunity to speak and expressed his gratitude to the Town for its continued support.. He said it is with regret that Mr. Greg Skull is unable to attend tonight's meeting; however, Ms. Elaine Carter of the Christiansburg Institute is present to help with tonight's presentation. Mr. Bishop and Ms. Carter presented Council with a Powerpoint presentation outlining their vision for restoration of the Christiansburg Institute property. The focal points of the restoration are community, education, preservation, and exhibition. Ms. Carter gave a history of the Christiansburg Institute and explained that restoration of the Christiansburg Institute campus is to include the Smokehouse Museum, a shop building, a memorial garden, and the renovation of the historic landmark Edgar A. Long building, which will be restored to an exact replica of the original building. Ms. Carter said that plans are to preserve the footprints of all the original buildings. Ms. Carter further explained that it is important to the Institute that it continues its services to the New River Valley through partnerships and collaborations with higher education organizations. Estimated cost of the project is six million dollars, less tax credit investments of one and one-half million dollars. The Institute is always fundraising to support this cost. They are currently half finished with the drawings for the Chase Construction building, and, once completed, will then move on to the Edgar A. Long building. The Institute currently has an office in the Christiansburg Community Center and Ms. Carter invited Council to visit for further information. She thanked Council for the opportunity to speak and for its support throughout the years. Council expressed its enthusiasm and support for the plans to restore and renovate the Christiansburg Institute campus. Councilman Stipes thanked Mr. Bishop and Ms. Carter for a great job in articulating the vision for the property and invited them to keep Council up to date with this important preservation. Mayor Ballengee also thanked Mr. Bishop and Ms. Carter and commended them for the remarkable progress they have made in bringing the Christiansburg Institute back to life. Councilman Huppert asked if they had brought their plans before the Chamber of Commerce. Ms. Carter said she has spoken with the Chamber and has received a positive response from them, and an offer of support.

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 REQUEST:

1. A request by Greg Nagy to amend Chapter 30 "Zoning" of the *Christiansburg Town Code* in regards to automobile auctions in the B-3 General Business District with a Conditional Use Permit. Councilman Barber made a motion to table the request for further review, seconded by Councilman Canada. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

COUNCIL ACTION ON THE REQUEST BY RICHARD H. JONES TO VACATE AN UNBUILT 12-FOOT ALLEYWAY BETWEEN FIRST AND SECOND STREETS. Since there was no opposition to the request, Councilman Barber made a motion to vacate the alleyway as requested. Councilman Wade seconded the motion and Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

COUNCIL ACTION ON THE SALE OF A LOT ON INDUSTRIAL DRIVE IN THE CHRISTIANSBURG INDUSTRIAL PARK. Councilman Wade made a motion to approve the request, seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

COUNCIL ACTION ON THE SALE OF A LOT ON PROSPECT DRIVE IN THE CHRISTIANSBURG INDUSTRIAL PARK. Councilwoman Carter made a motion to approve the request, seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

AUTHORIZE THE TOWN MANAGER TO EXECUTE AN INTERIM AGREEMENT WITH LIONBERGER CONSTRUCTION COMPANY FOR CONSTRUCTION OF AQUATIC CENTER. Town Manager Terpenny reported that, as part of the public/private partnership under Virginia Procurement Code, the Town has accepted a proposal by Lionberger Construction Company to build the Christiansburg Aquatic Center. The Town can not negotiate the expansion of the aquatic center until an interim agreement has been signed and approved. The expansion is a result of changes made by Virginia Tech. Town Attorney, Jim Guynn, has drawn up the interim agreement and has discussed it with Lionberger Construction Company's attorney. Construction can begin once the agreement is signed and approved. Councilman Barber made a motion to approve the request, seconded by Councilwoman Carter. 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. Lot line adjustment for David A. Miles and Deborah M. Miles; 2 lots; Windsor Drive, N.W. Councilman Barber explained that this request is to reshape two lots to make them more usable. All is in order, and Councilman Barber made a motion to approve the plat, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.
2. Plat showing vacation/relocation of lot lines, lots 1A and 1B and easement dedication, Thurman Oaks Subdivision; 2 lots; Ellett Road, N.E. Councilman Barber explained that this request will move approximately ten feet of property from lot 1A to lot 1B. The change has no affect on any other lot in this subdivision. All is in order, and Councilman Barber made a motion to approve the plat, seconded by Councilman Huppert. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.
3. Right-of-way plat for Mill Lane improvements. Councilman Barber explained that this request is to widen and increase the right-of-way of Mill Lane, which is the access road to the Christiansburg Aquatic Center. The changes will improve the site line when entering and exiting Mill Lane. Mill Lane, a through street, will also serve the Christiansburg Skatepark. All is in order, and Councilman Barber made a motion to approve the plat, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Canada, Carter, 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 December, 2006, in the amount of \$1,749,313.77. AYES: Barber, Carter, Canada, Huppert, Stipes, and Wade. NAYS: None.

TAXI CAB LICENSE APPLICATION – Town Manager Terpenny submitted to Council a taxi cab license application for Catherine Marie Morrow 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 Catherine Marie Morrow as follows: AYES: Barber, Carter, Canada, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER TERPENNY reported that one year ago Town Council issued a Conditional Use Permit to Steve Garland for a major home occupation for an electrical contractor at 1390 King Street. One of the conditions set forth in the CUP was a review by Council in one year. There have been no complaints received by the Town for this property, and there have been no violations to the CUP. Mr. Garland said he has actually downsized his business in the past year, so it is less involved now than when the CUP was issued. Since there have been no complaints, Councilman Barber made a motion to reissue the CUP indefinitely, seconded by Councilman Huppert. Councilman Stipes clarified that the CUP is for the applicant, not the property and/or business. Manager Terpenny agreed, stating, anyone new at that location would have to apply for a CUP. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

AQUATIC CENTER UPDATE – Town Manager Terpenny reported that he plans to meet with the architect this week to review the final drawings before submittal. The aquatic center committee will make a presentation to Town Council in the near future.

MAYOR BALLENGEE said he and Manager Terpenny are looking at the option of hiring an agency that specializes in professional hiring to assist in the hiring of a new police chief. The agency would review and interview applicants by video tape using the Town's questions and criteria, and then would submit the tapes to Council for review and further interviews. This type of agency has representatives all over the country, which saves time when applications are received from out of state. The Town of Blacksburg successfully utilized a professional hiring agency when recently hiring its new police chief. The police chief position has been advertised in state news bulletins, such as VML, and the Police Chief's Association, as well as the local paper, the Roanoke Times, the Richmond Times Dispatch, and the Town's website. The Town is prepared to appoint an interim police chief, if a police chief is not appointed by the end of February.

TOWN MANAGER TERPENNY reported that the agreement between the Town and the Montgomery County Chamber of Commerce has been finalized. The County will take action on the agreement on December 12, 2006, and it will then come before Council for approval.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 8:40 P.M, on motion by Councilman Barber, seconded by Councilwoman Carter. Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

Michele M. Stipes, Clerk of Council

Richard G. Ballengee, Mayor