

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF DECEMBER 2, 2008 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 2, 2008 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Richard G. Ballengee; Vice-Mayor Bradford J. Stipes; D. Michael Barber; Ann H. Carter; D. Henry Showalter; James H. Vanhoozier; H. Earnest Wade. ABSENT: None

PLANNING COMMISSION MEMBERS PRESENT: Ann H. Carter; Steve Huppert. ABSENT: Chairman Steve Simmons; Wayne Booth; Mike Byrd; Dan Canada; and Craig Moore.

ADMINISTRATION PRESENT: Town Manager R. Lance Terpenney; Assistant Town Manager Barry D. Helms; Town Clerk Michele M. Stipes; Planning Director Randy Wingfield; Town Attorney Kai Memmer. ABSENT: None.

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 November 18, 2008. There being no changes the minutes were approved as presented.

**CITIZEN HEARINGS:**

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

1. Dr. John J. White and Ms. Tracy Roberts to address Council. Dr. White and Ms. Roberts were not present to speak.
2. Planning Commission's recommendations on the following Joint Public Hearing requests:
  - a. An ordinance amending Chapter 3 "Advertising" of the Christiansburg Town Code in regards to provisions for marquee, roof, and secondary roof signage. Planning Commission Secretary Terpenney reported that the Planning Commission recommends Town Council approve the proposed sign ordinance amendment as presented, with digital signage to be addressed in a future amendment. A copy of the proposed amendment is attached herewith and made a part of these minutes.
  - b. An ordinance amending Chapter 30 "Zoning" of the Christiansburg Town Code in regards to allowances for bed and breakfast inns. Planning Commission Secretary Terpenney reported that the Planning Commission recommends Town Council approve the proposed ordinance amendment allowing bed and breakfast operations in the R-2 Multi-Family Residential District.
  - c. An ordinance amending Chapter 30 "Zoning" of the Christiansburg Town Code in regards to provisions for parking facilities. Planning Commission Secretary Terpenney reported that the Planning Commission recommends Town Council approve the proposed ordinance amendment allowing parking facilities in the B-2 Central Business District and the B-3 General Business District with a Conditional Use Permit.
3. Citizen Comments:
  - a. Sharon Hewitt, a Christiansburg resident, addressed Council in support of Curbside Recycling. She strongly urged Council to consider providing curbside recycling to Town residents, and commented that costs should not be a reason to deny this service. Recycling drop-off sites are good, but inconvenient, she said. Mrs. Huett asked Council to thoroughly research the matter before making a decision.

- b. Lisa Gardner of Phlegar Street expressed her strong support of curbside recycling, understanding that a program such as this will cost additional money. She commented that many folks are unable to utilize the recycling drop-off centers, and that providing curbside recycling will promote good citizenry. Ms. Gardner also addressed her continued concern with government take-home vehicles. Information she obtained from Town administration indicated that twenty-nine government vehicles are being taken home by Town employees, thirteen of those taken out of town limits. She questioned the necessity of this practice and suggested this may be an area where waste can be cut, along with costs to taxpayers.
- c. Virginia Abraham of 100 Nugget Ridge Road addressed Council at the November 18 meeting in support of Tracy Robert's sign request. She is now addressing Council in support of Curbside Recycling. Ms. Abraham said she was disappointed at Council's recent decision to approve a Conditional Use Permit allowing large amounts of concentrated pesticide on site. Ms. Abraham spoke to environmental issues being faced today. She asked that Town Council consider the environment to be our last resource and suggested the Town work with the Town of Blacksburg, which, she believes, is more advanced with addressing environmental issues.
- d. Carol Lindstrom of Depot Street expressed her concern about the demolition of an old building in Cambria last week. She suggested there may have been asbestos present in the building and is concerned that proper measures were not taken to contain the material, posing a hazard for the workers and those in the nearby area. Ms. Lindstrom asked the Town to look into this matter.

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

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

- 1. Council action on the Planning Commission's recommendations:
  - a. An ordinance amending Chapter 3 "Advertising" of the Christiansburg Town Code in regards to provisions for marquee, roof, and secondary roof signage. After Council discussion regarding the Planning Commission's recommendation to not include guidelines for digital signs in the amendment at this time, thereby delaying action pertaining to digital signs by several weeks, Councilwoman Carter made a motion to table the request until the Planning Commission can study digital signage and present a complete ordinance amendment to Council. The motion was seconded by Councilman Stipes, and Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None. Councilman Barber proposed that the Town Attorney review the legality of prohibiting digital signs on marquee or roof top signs. Town Attorney Memmer said she would review the matter and report to the Town Manager within two days.
  - b. An ordinance amending Chapter 30 "Zoning" of the Christiansburg Town Code in regards to allowances for bed and breakfast inns. Councilman Wade made a motion to accept the Planning Commission's recommendation to approve the amendment, seconded by Councilman Barber. Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
  - c. An ordinance amending Chapter 30 "Zoning" of the Christiansburg Town Code in regards to provisions for parking facilities. Councilman Barber made a motion to approve the amendment as presented by the Planning Commission, seconded by Councilman Wade. Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
- 2. Appointments to Parks and Recreation Advisory Commission. Councilman Barber made a motion to reappoint Mary Critzer and Walter Price to serve another term on the Parks and Recreation Advisory Commission. Councilman Stipes seconded the motion. Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None. Councilman Barber reported that at the last Parks and Recreation Advisory Commission meeting, Mary Critzer, long-standing Chairman of the Commission, expressed her desire for reappointment, but not as Chairman. The Commission appointed member Kevin Stoner to serve as Chairman.
- 3. Discussion regarding Sign Ordinance in response to Ms. Tracy Robert's request. Town Council members were presented with a copy of a letter received from Tracy Roberts and Dr. John White regarding their sign issue previously brought before Council. Mayor Ballengee reported that he and Manager Terpeny visited the site and that Ms. Roberts has removed the sign in question. In her letter, Ms. Roberts requests that the Town mark the appropriate location for the sign; however, Council determined that it is not the responsibility of the Town to provide surveying services. Mayor Ballengee commented that it seems Ms. Roberts received erroneous information from two sources other than the Town, which has led to confusion concerning proper placement of Ms. Roberts' permanent sign. After much discussion, Council decided to direct Town Staff

to mark the minimum setback using the plat on file for this property. Councilman Stipes suggested the Town become more aggressive with ordinance enforcement to prevent future discrepancies.

4. Aquatic Advisory Commission. Mayor Ballengee stated his intent to appoint an Aquatic Advisory Commission, similar to the Parks and Recreation Advisory Commission, to act as a review board for matters concerning the aquatic center. The Town has already received numerous letters of interest from folks in the community wanting to serve on the advisory commission. Mayor Ballengee appointed Councilman Vanhoozier to serve as Council representative on the Aquatic Advisory Commission, and he plans to review the letters of interest and will appoint an additional four or five members in the near future.
5. Curbside Recycling. Mayor Ballengee thanked those who spoke earlier in favor of curbside recycling. He also presented a letter the Town received from the fifth grade class at Christiansburg Elementary School requesting the Town consider offering curbside recycling to its residents. A copy of the letter is attached herewith and made a part of these minutes. Councilman Showalter provided Council with a Blacksburg/Christiansburg comparison outlining the volume of trash and recyclables generated in tons. He reviewed the importance of recycling to the environment, and offered suggestions on least expensive ways to start this program. A copy of the information provided is attached herewith and made a part of these minutes. Recycling is an issue that was discussed at this year's annual VML conference. Verona, Virginia was used as an example of a community finding cost effective ways to offer curbside recycling, and can be used as a resource for the Town during its review. After Council discussion regarding necessary funding for a curbside recycling program, Mayor Ballengee directed Manager Terpenney to gather information relative to the costs associated with curbside recycling and to report back to Council. Manager Terpenney asked that he be given until March 2009 to adequately prepare the information for Council, noting that the issue can't be addressed until the next budget year.
6. Stipes and Vanhoozier – Street Committee Reports/Recommendations on:
  - a. Regulations regarding mopeds. In response to a letter received from the community, Mayor Ballengee appointed Councilman Barber, Planning Commissioner Booth, and Police Chief Sisson to an ad hoc committee to review and present to Council regulations regarding moped operation. The Committee invited citizen input during discussions. In addition to regulations provided by the State, Councilman Barber commented that it is important that the guidelines adopted by the Town be consistent with neighboring communities to aid in enforcement and in the courts. After much research and review, the ad hoc committee is recommending that every person operating a moped on a public street or highway shall wear a face shield, safety glasses or goggles approved by the state police, or shall have the moped equipped with safety glass or a windshield at all times, and any operator and any passengers shall wear protective helmets of a type approved by the state police. It is recommended these regulations become effective January 1, 2009, with a sixty-day period during which an officer can educate moped operators and passengers through a warning. Police Chief Sisson recommends the Town provide flash publicity to notify and educate the public of these regulations.
  - b. Crosswalk signs downtown. Councilman Stipes presented to Council an example of the signage the Street Committee is recommending for two of the downtown crosswalks. The signs are reflective, fluorescent, and flexible, and will be placed in the center of the crosswalks in addition to the current crosswalk signage. The new signs will be placed in the crosswalk in front of Old Town Mall and in front of the Presbyterian Church from mid-March until mid-December. The signs will be removed during the winter months to accommodate snowplows. Additional signs for the remaining crosswalks along Main Street will be considered in the future. Councilman Vanhoozier made a motion to accept the signs proposed by the Street Committee, seconded by Councilwoman Carter. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
  - c. Subdivisions:
    - i. Plat showing subdivision of property for Edward T. King, part of lots 40 & 41, Cooper property; 2 lots; located on Chrisman Street, S.W. and Third Street, S.W. Councilman Stipes explained that this request is to divide one lot into two lots. All is in order with the plat and the Street Committee recommends approval. Councilman Barber made a motion to approve the plat, seconded by Councilman Wade. Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
    - ii Subdivision plat of Kensington Phase I, creating lots 1 through 59, located on Harkrader Street, N.W. Councilman Stipes reported that this plat conforms with last year's rezoning, proffered subdivision density, and with Planned Housing Development guidelines. All is in order with the plat and Councilman Wade made a motion to approve, seconded by Councilman Barber. Mayor Ballengee called for a poll vote. Town Clerk Stipes polled Council as follows: Barber –AYE; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade – AYE.

- iii. Plat showing boundary line vacation of Tax Parcel 497 – ((A)) – 76A for William C. Osborne; 2 lots; located on Montgomery Street, N.E. Councilman Stipes explained that this plat shows the addition of property from a previously vacated right-of-way by the Town. All is in order with the plat and Councilman Stipes made a motion to approve the plat, seconded by Councilman Vanhoozier. Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
- iv. Revised plat of survey showing the subdivision of Robin Hood Estates; 63 lots; Robin Hood Drive, N.E. and Sherwood Drive, N.E. Councilman Stipes explained that this subdivision plat has been approved by Council and this request is to vacate the property lines on a small portion originally designated as a pump station site. All is in order with the plat and Councilman Wade made a motion to approve the plat, seconded by Councilman Vanhoozier. Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

#### 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 December, 2008, in the amount of \$1,195,397.25. AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, and Wade. NAYS: None.

PUBLIC HEARING REQUEST(S) – Town Manager Terpenney presented the following request(s) and recommended setting the Public Hearing for January 6, 2009:

1. Community input regarding mandatory garbage collection.
2. Zoning permit request, Montgomery County, garage in the I-2 General Industrial District.
3. Conditional Use Permit request for a parking garage in the Central Business District, Montgomery County.

On motion by Councilwoman Carter, seconded by Councilman Barber, Council voted to set the Public Hearings for January 6, 2009. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

MAYOR BALLENGEE reported that during a meeting with Christiansburg Institute and Virginia Tech, Virginia Tech expressed interest in becoming involved with Christiansburg Institute for academic purposes. Virginia Tech requested that a representative of the Town be appointed to act as a liaison between the Institute and Virginia Tech. Councilman Stipes volunteered to serve in this capacity and was appointed by Mayor Ballengee.

#### ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 9:07 P.M.

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor