

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF MAY 5, 2009 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 MAY 5, 2009 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.

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

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

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

PLEDGE OF ALLEGIANCE.

**JOINT PUBLIC HEARING**

1. Rezoning request by Howard M. Thornton for property at 520 and 540 Depot Street, N.E. (tax parcel 497 – ((A)) – 40) from I-2 General Industrial to B-3 General Business. The property proposed for rezoning is approximately 2.409 acres and is scheduled as Commercial in the Future Land Use Map of the Christiansburg Comprehensive Plan. Mr. Howard Thornton explained to Council his plans to remodel an existing building with new siding and a new roof. Landscaping will be improved, along with signage improvement according to Town Code. If rezoning is granted, the property will be improved to B-3 General Business requirements. Mr. Thornton offered the above as proffers to this rezoning request. The property will be operated as a used car lot and there will be no automobile repairs done at this site. A site plan will be required by the Town if the rezoning request is approved. Manager Terpenny commented that the Town received no correspondence from the community regarding this request. Ms. Carol Lindstrom, resident of Depot Street, asked if this property is located near the Cambria historic district. If so, she asked that the property be maintained attractively so as to not degrade the existing Depot Street properties. She also asked Town Council to consider the possible contamination of nearby Crab Creek by this type of business, noting that additional paving could degrade the waterway.
2. A Conditional Use Permit request by L and R Burch Properties, LLC for property at 2000 Roanoke Street (tax parcel 499 – ((A)) – 14) for a flea market and auction house and amendment of a Conditional Use Permit approval for an auto auction in the B-3 General Business District. Mr. Randall Burch explained his request to modify the Conditional Use Permit issued to him last year for this property. Mr. Burch is asking to remove the temporary “No Parking” signs along Hubble Drive, required on auction day. He was told by a Police Officer that the temporary signs were not allowed, and Mr. Burch suggested the Town place permanent signs, if complaints are received from the community. He also asked that the condition requiring cars be moved within forty-eight hours of sale, be removed from the CUP. Mr. Burch asked Council to increase the number of auctions per month from six (6) to eight (8), and that he be permitted to hold indoor flea market auctions, and outdoor vending in good weather. Mr. Burch explained to Council his reasons for these requests. Manager Terpenny presented a letter from Hubble Lighting expressing concerns with traffic congestion on auction days. Ms. Carol Lindstrom recommended Town Council request a staff review of traffic flow in this area before making a decision on this request. It was noted by an employee of Mr. Burch’s that the flea market auction and the auto auction won’t be held on the same day. Outside vending will be sale of items such as vegetables, lawn mowers, and various small items meant to attract customers. All auctions will take place indoors. Councilman Vanhoozier noted that outdoor vending, with restrictions, was permitted on a previous CUP for this property. Mayor Ballengee stated that the Planning Commission will make its recommendation on these Joint Public Hearing requests at the May 19, 2009 Town Council meeting.

## PUBLIC HEARING

1. Fiscal Year 2009 – 2010 Budget – First Reading. Councilwoman Carter, Chairman of the Finance Committee, reported that the Finance Committee met with town staff to review department needs, and Town Council held a work session to review and discuss the proposed budget, in preparation for the First Reading of the budget. Manager Terpenny reported that the proposed budget includes increases to water fees, sewer fees, water connection fees, sewer connection fees, Conditional Use Permit fees, rezoning fees, site plan review fees, and building plan review fees. New positions proposed: IT Technician, Planner, School Resource Officer for the Middle School, Dispatcher, and an Inspector Trainee for six months. There is not a cost of living increase proposed for Town employees. Major Capital Improvements include: Four sewer extensions, downtown redevelopment on East Main Street, plant mix for the streets, completion of the Aquatic Center, upgrades to the Wastewater Treatment Plant, and three water line extensions. Reserve funds proposed to be increased are: Fire truck reserve, rescue truck reserve, building inspection software, and emergency services building. The Water Authority increased its charges \$0.07 per 1000 gallons (4.76%), and the Solid Waste Authority increased the tipping fee \$3.00 per ton (6.25%).

Mr. Wes Adkinson of Lucky Lane commented on his opposition to the proposed fee increases. He questioned why town crews are developing a private road to WPSK radio station, which is located outside town limits, when there are roads within town limits in need of repair. Manager Terpenny replied that WPSK allowed the town to place emergency services equipment on their property, rent free, and in exchange, the Town agreed to improve the road. A Town employee monitors the equipment on a regular basis, and road improvements have become necessary.

Councilman Wade asked Council to consider cutting some of the expenses included in the budget. He asked that funding for the expansion of the bus service not be included in the budget, since the Town has not discussed this matter, nor has Council voted to approve the expansion. Councilman Wade noted that the amount budgeted for the bus service is a significant amount. Also, in light of the poor economy, he would like to see all increases to charitable contributions removed from the budget, with the exception of the increased funding for the New River Valley Airport. Councilman Vanhoozier agreed with removing funding for the bus system, commenting that Council needs to discuss the matter before committing to providing financial support. Councilwoman Carter commented that she doesn't want to see the library funding cut, since it relies heavily on contributions and is a valuable resource to the community; and Councilman Barber remarked that if charitable contributions are being cut, they need to be cut consistently. Councilman Stipes agreed that Town Council needs to further discuss the bus system expansion; however, he pointed out that, because of the economic downturn, the bus service is even more valuable because it provides a cost effective option for transportation. Councilman Stipes supports leaving the funding in the budget, so that it will be available should Council vote to adopt the bus expansion. Councilman Vanhoozier agreed with the importance of a bus system, but pointed out that the Town will be financially responsible for the bulk of the operational costs and the Town needs a better understanding of what those costs will be. Councilman Vanhoozier expressed his support for expansion of the bus system, but commented that, financially, this may not be the appropriate time to commit to the project. The Town can't determine that until further information is provided by Blacksburg Transit. Councilman Showalter pointed out that if funds are not budgeted this year for the bus system, the project will be delayed until next year. Manager Terpenny commented that, because of federal funding involvement, if not included in this budget, the project would likely be delayed until the next grant cycle. Mayor Ballengee agreed that the Town is not able to make an informed and financially responsible decision on this matter until further information is provided. Councilman Showalter suggested the Mayor call a work session before the next regular Town Council meeting to discuss the bus system. Councilman Barber commented on his concern that, with this type of issue, the Town will likely meet resistance from the community no matter what decision it makes. He, too, would like additional information, but supports budgeting the funding this year, commenting that just because it is in the budget, doesn't mean it has to be spent. The consensus of Council is to schedule a work session with Blacksburg Transit before the second budget reading at the May 19 Town Council meeting. Town Council also discussed items in the budget such as building department fees, and employee salaries, with no changes to what is proposed.

Mr. Fred Hodges, Independence Boulevard, addressed Council in support of the bus system. He said he has heard from many residents that this service is important to them. Implementing the bus system will also be beneficial to the environment. Mr. Hodges said the Town may never see the value of the service until it is implemented, and asked that cost not be a deciding factor.

Mr. Sam Bishop and Ms. Carol Lindstrom both questioned monies appropriated to the Rescue and Lifesaving Crews. Manager Terpenny reported that salary funding supports the full-time captain position, a portion of the buildings and grounds crew, and dispatch. There are no new positions. Wages are for teaching classes, and inspections. Manager

Terpenny clarified that Montgomery County also provides funding to Rescue and Lifesaving for fuel and equipment, but those monies are not reflected in the Town's budget. Mayor Ballengee stated that the second reading of the Fiscal Year 2009 – 2010 budget will be held on May 19, 2009.

#### **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 21, 2009. There being none, the minutes were approved as presented.

COUNCILMAN WADE made a motion to amend the agenda to include Cruisin' Christiansburg business as recommended by the Christiansburg Events Coalition. Councilman Stipes seconded the motion to amend the agenda and Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None. This matter is item #2 under Discussions by Mayor and Council Members.

#### **CITIZEN HEARINGS:**

1. Citizen Comments:
  - a. Mr. Howard Thornton of Brilliant Drive. Mr. Thornton said he has been before Council in the past requesting "quiet zone" status for the railroad crossing at Chrisman Mill Road, which is behind his property. He asked for an update on the progress made in getting this status implemented. Manager Terpenny explained that in order to establish a "quiet zone", each railroad crossing in Town must be monitored, and a certain score met, to qualify. The crossings have been monitored, and because of the geometric design, the Chrisman Mill crossing scored very low, which disqualified it as a "quiet zone". Another option would be to combine the scores of all crossings in Town, and if qualifications are met, establish a Town-wide "quiet zone". At the time the initial monitoring was held, improvements were being made to Chrisman Mill Road and the Cambria crossing. Now that improvements are complete, a second monitoring can take place. Councilman Barber pointed out that establishing a "quiet zone" at railroad crossings increases the danger for vehicular traffic, and there is a concern for school bus safety at the Chrisman Mill crossing. Mr. Thornton said he understands the concerns, but that an audio technician from Virginia Tech did audio recordings of trains passing through the Chrisman Mill crossing and the noise level far exceeded the safety limit of eighty (80) decibels. Manager Terpenny will review this matter with his assistant tomorrow.
  - b. Mr. Fred Hodges, Independence Boulevard, said he has contacted the Police Department about providing speed checks along Independence Boulevard to control the increased speeding and reckless driving through this area. The traffic checks do not seem to be enough to control the traffic and he is asking for Council's assistance. Independence Boulevard is hilly and curvy, and now, is used as a short-cut to Pepper's Ferry Road. Christiansburg High School and the VASAP office are located on this road, which adds to the heavy volume of traffic.
  - c. Ms. Carol Lindstrom said she began a study several months ago on different methods localities use to keep Town Council informed of various Town business. She found that staff reports are the most practical and effective way to keep Town Council apprised of departmental business. She requested Town Council consider adopting a policy requiring staff reports as a communication tool between Council and town staff.
  - d. Ms. Maureen Fowler, Independence Boulevard, asked the Town to provide a study to consider the feasibility of a walking path along Independence Boulevard, due to the heavy volume of both foot traffic and vehicular traffic. Ms. Fowler agreed with Mr. Hodges that the traffic through this area is often speeding and reckless. The layout of the road also jeopardizes the safety for walkers and drivers. Councilman Showalter agreed that this is a heavily traveled road, and pointed out that Cambria Street, on the other side of the same neighborhood, has the same problems. He agreed this is something that needs to be addressed this year. Councilman Vanhoozier previously proposed a study to determine the feasibility of a walking path along Cambria Street. Councilman Stipes commented that Independence Boulevard and Cambria Street are primary arteries for the Town, and foot traffic safety needs consideration. Councilman Barber commented that numerous neighborhoods in town have traffic issues and it would be difficult to provide funding for one over another. Councilman Vanhoozier said the solution is to devise a proper plan of action. Councilman Showalter said the pathways can be considered Capital Improvements and funding can be drawn from Town reserves. Councilman Wade suggested discussing this at length at Council's proposed fall retreat.

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. New River Valley Development Corporation request for "Moral Obligation" on financing – New information. Councilman Barber, Council representative, and President of the Corporation, reviewed the information he provided Council at the April 21, 2009 Town Council meeting concerning the "moral obligation" request. Since that time, circumstances have changed, and new information has been received. Pulaski County has decided to offer fifty percent of the total moral obligation required by the bank; the remaining participants are being asked to provide a "moral obligation" for one-fourth of the remaining fifty-percent, which Councilman Barber indicated would total, approximately, Three Hundred-Fifty Thousand Dollars (\$350,000). Councilman Barber further noted that the Four Million Dollars previously reported as a potential liability for participants, is not a concern due to a law that will reduce the liability by fifty-percent and amortize the balance on a sliding scale for payback, if necessary. The Four Million Dollars is not a consideration if the facility continues to operate as a business incubator. New River Valley Development Corporation has also asked for in-kind help and an additional Fifty-Thousand Dollars (\$50,000) annually from participants. Councilman Barber made a motion that Town Council reconsider participation, noting that he will abstain from voting. Councilwoman Carter seconded the motion to reconsider participation, commenting that the Town committed to supporting the Competitiveness Center years ago. Town Clerk Stipes polled Council as follows: Barber – ABSTAIN; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade – AYE.
2. Recommendation by Councilman Wade, on behalf of the Christiansburg Events Coalition, to move the Cruisin' Christiansburg event scheduled for June 27 to July 11, due to a conflict with a large car show in Roanoke. Christiansburg Events Coalition has also recommended that the location of all the scheduled Cruisin' Christiansburg events be moved from College Street to Main Street. Councilman Wade made a motion to approve these recommendations, seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

TOWN MANAGER REPORTS:

MONTHLY BILLS – On motion by Councilman Barber, seconded by Councilwoman Carter, Council voted to approve the monthly bills to be paid 10 May, 2009, in the amount of \$1,027,084.61. AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

PUBLIC HEARING REQUEST(S) – Town Manager Terpenny presented the following request(s) and recommended setting the Public Hearing(s) as indicated:

May 19, 2009

1. Fee increases – Fiscal Year 2009 – 2010 Budget.

On motion by Councilman Wade, seconded by Councilman Barber, Council voted to set the Public Hearing(s) as indicated. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

TOWN MANAGER TERPENNY reminded Council of the VML Town Section Meetings to be held in Vinton on May 22, 2009. He will reply for those planning to attend.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 9:40 P.M.

---

Michele M. Stipes, Clerk of Council

---

Richard G. Ballengee, Mayor