

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF JUNE 2, 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 JUNE 2, 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; Town Planner Hair; Town Attorney Kai Memmer. ABSENT: None.

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

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

PLEDGE OF ALLEGIANCE.

COUNCILMAN STIPES read a statement recusing himself from participating in action taken by Council on the rezoning request by Albert Land, LP, for property on the northern side of Peppers Ferry Road, at the end of Sage Lane. After consulting with attorneys Guynn, Memmer, and Dillon, and having been advised of no conflict of interest, and no legal restrictions, Councilman Stipes based his decision on the possible perception of a conflict of interest, due to his involvement with Belmont Christian Church as a member, and in a professional capacity, having provided pro bono engineering service for the church on property it owns that adjoins the property in this request. The Belmont Christian Church property could possibly provide a future access road to the property in this rezoning request.

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 May 19, 2009. There being none, the minutes were approved as presented.

CITIZEN HEARINGS:

1. Recognition of Christiansburg High School Photography Club. Clay McCoy, Town Human Resource Director, said that the students of the Christiansburg High School Photography Club were asked to participate in capturing images of the Town of Christiansburg to be used on the Town's website and other media outlets to promote tourism. The students were asked to capture images that demonstrate what they love about Christiansburg. They were also asked to include images of monuments or locations of historical significance, and images of citizens enjoying their daily lives in Christiansburg. Mr. McCoy said the students exceeded expectations, submitting one hundred forty-seven photographs. Council enjoyed a brief slide show of some of the captured images. Mayor Ballengee and Town Council commended Faculty Advisor, Dr. Kurt Grosshans, for his leadership and service in helping bring this project to fruition, and for his efforts to positively impact the lives of our youth through photography. Mayor Ballengee and Town Council commended students Emma Grace Stafford, Rachel Faith Cline, Paige Elizabeth Rahmes, Nathaniel Tull Hodges, Mikayla Noel Ford, and Sierra Michelle Ford, for their photography skills, and for capturing the beauty of Christiansburg and the warmth of its people. Dr. Grosshans, and each student, was presented with a Resolution of Appreciation and a Town of Christiansburg hat and shirt. A copy of each Resolution is attached herewith and made a part of these minutes.

2. Planning Commission recommendation on:
 - a. Rezoning request by Danny L. Neff for property at 1225 Stafford Drive (tax parcel 374 – ((1)) – 15) from R-1A Rural Residential to R-1 Single-Family Residential. The property contains 2.749 acres and is scheduled as Conservation - Limited Development in the Future Land Use Map of the Christiansburg Comprehensive Plan. The Public Hearing was held May 19, 2009. Vice-Chair Moore asked Secretary Terpenny to read the Planning Commission

recommendations. Secretary Terpenny read Planning Commission resolution recommending Town Council approve the rezoning request. The vote was unanimous by all present.

- b. Rezoning request by MEH, LLC for property at 2880 Roanoke Street (tax parcel 501 – ((1)) – 21) from R-1 Single-Family Residential to B-3 General Business with proffers. The property contains 0.704 acres and is scheduled as Mixed Use - Residential/Limited Business in the Future Land Use Map of the Christiansburg Comprehensive Plan. The Public Hearing was held May 19, 2009. Secretary Terpenny read the resolution recommending Town Council approve the rezoning as request. The vote was unanimous by all present.
- c. Rezoning request by Albert Land, LP for property on the northern side of Peppers Ferry Road, N.W. at the end of Sage Lane (tax parcels 404 – ((A)) – 2 and 8) from A Agricultural to R-1 Single-Family Residential with proffers. The property contains 21.61 acres and is scheduled as Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. The Public Hearing was held May 19, 2009. Secretary Terpenny read the Planning Commission resolution recommending Town Council approve the rezoning as requested, with proffers. The vote was unanimous by all present.

1. Citizen Comments: No one to speak.

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. Council action on:
 - a. Rezoning request by Danny L. Neff for property at 1225 Stafford Drive (tax parcel 374 – ((1)) – 15) from R-1A Rural Residential to R-1 Single-Family Residential. The property contains 2.749 acres and is scheduled as Conservation - Limited Development in the Future Land Use Map of the Christiansburg Comprehensive Plan. Councilman Barber made a motion to approve the request, seconded by Councilman Vanhoozier. Town Clerk Stipes polled Council as follows: Barber – AYES; Carter – AYES; Showalter – AYES; Stipes – AYES; Vanhoozier – AYES; Wade – AYES.
 - b. Rezoning request by MEH, LLC for property at 2880 Roanoke Street (tax parcel 501 – ((1)) – 21) from R-1 Single-Family Residential to B-3 General Business with proffers. The property contains 0.704 acres and is scheduled as Mixed Use - Residential/Limited Business in the Future Land Use Map of the Christiansburg Comprehensive Plan. Councilman Wade made a motion to accept the Planning Commission's recommendation to approve the request, seconded by Councilman Stipes. Town Clerk Stipes polled Council as follows: Barber – AYES; Carter – AYES; Showalter – AYES; Stipes – AYES; Vanhoozier – AYES; Wade – AYES.
 - c. Rezoning request by Albert Land, LP for property on the northern side of Peppers Ferry Road, N.W. at the end of Sage Lane (tax parcels 404 – ((A)) – 2 and 8) from A Agricultural to R-1 Single-Family Residential with proffers. The property contains 21.61 acres and is scheduled as Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. Councilman Barber made a motion to deny the request, stating that, while understanding that the request falls within comprehensive planning guidelines, if approved, the Town is being unfair to existing residents. And, Councilman Barber further stated that he believes much of this request is based on speculation, specifically with creating a second ingress/egress to the property. Councilman Showalter seconded the motion to deny the request. Councilwoman Carter commented that, while the developer has made many changes to his plans to accommodate resident concerns, she is still concerned that there are unanswered questions regarding a second access point onto the property. Councilman Vanhoozier read a statement disclosing that he has been advised by Guynn, Memmer, and Dillon that he faces no conflict of interest relating to his involvement with Belmont Christian Church as a member and a Deacon, and faces no restrictions by law in participating in Council action on this matter. However, in the interest of public trust, he is offering full disclosure surrounding this matter, including his membership on the Finance Committee for Belmont Christian Church, and his involvement in discussions regarding development of the Church's property that adjoins the property in this request. Due to the possibility of a perceived conflict of interest, Councilman Vanhoozier elected to recuse himself from participation in Council action on this matter. Town Clerk Stipes polled Council as follows: Barber – AYES; Carter – AYES; Showalter – AYES; Wade – AYES. This rezoning request is denied.
2. Update on Community Development Block Grant. Councilman Stipes reported that the Street Committee is recommending sidewalk, pedestrian, and handicap access improvements to areas along Roanoke Street and Park Street, to be constructed using Community Development Block Grant funds. These improvements are included in the Action Plan that will be submitted in August 2009, with approximate funds of one hundred twenty-five thousand dollars being made available in

October 2009. A Public Hearing will be set later in tonight's meeting for public comment on the Action Plan. The Action Plan is expected to be available for public review in mid-June.

3. Update on Huckleberry Trail extension. Councilman Stipes reported that the 2009 TEA -21 grant application for the Huckleberry Trail extension has been approved. The Town will receive one hundred sixty-five thousand dollars (\$165,000) in federal funding for the project. This amount should be enough to bring the trail up to Route 114, and provide seed money for the future bridge over Route 114. Councilman Stipes further reported that Bill Ellenbogen of Friends of the Huckleberry, is busy raising additional, private funds. The federal funding will be available October 1 and a plan is being created for allocation of the funds. Councilman Stipes thanked Council for its continued support on this project. Councilman Stipes commended Mr. John Neel, of Gay and Neel, Inc., for his extensive pro bono work on this project.
4. Discussion regarding Tourism Contract. Councilwoman Carter referenced the Tourism Contract modified by the Chamber of Commerce and presented by Shane Adams in April, but never approved by Council. Councilman Wade said he would like to allow an additional twelve months of participation, with the stipulation that by May 2010, the Tourism Development Commission (TDC) will be established as a separate entity from the Chamber of Commerce. Councilman Wade noted that the Town has a moral obligation to taxpayers to spend the lodging funds on tourism, and the Town has no other plan in place for tourism funding, at this time. Mayor Ballengee noted that, initially, tourism development was to be turned over to the TDC, with no Chamber of Commerce involvement, and efforts are continuing to establish that goal. Councilman Vanhoozier agreed with Councilman Wade's thoughts that it is important that the TDC become a separate entity from the Chamber of Commerce, but he doesn't want funding completely cut from the TDC. Councilwoman Carter commented that the present issue is the contract and whether to accept the changes submitted by the Chamber of Commerce. Councilwoman Carter said there were changes made to the original contract that cause her concern. Councilman Vanhoozier stated that he doesn't entirely agree with the contract changes, but it is important to move forward. Councilman Showalter said the Town is responsible for the tourism funding collected from the hotels and he doesn't believe the Town is being fairly represented by the Chamber of Commerce, and that the Chamber of Commerce has not followed through with its promises to the Town, noting the poor quality of the TDC's website promoting Christiansburg. Councilman Barber said he, too, hasn't been satisfied with the services provided by the TDC. Councilman Barber said the Town has fulfilled its obligation by providing the funding, but that the Chamber of Commerce has not fulfilled its obligation to provide quality, fair representation. However, Councilman Barber noted that the Town has no choice but to sign the contract and to provide six month notification of withdrawal to the Chamber of Commerce, per the existing contract, due to unsatisfactory usage of funds. Councilman Stipes agreed with Council comments and stated that he can only support adopting contract renewal if he is ensured that the TDC will be established as a separate entity from the Chamber of Commerce by January 2010. That would satisfy the six month notification clause in the contract. Mayor Ballengee said he would notify the Chamber of Commerce that it must have a plan in place, within six months, to establish the TDC as a separate entity. Town Manager Terpenny noted that the May payment to the Chamber of Commerce is the last payment until a new contract is adopted, and there is no automatic contract renewal without signatures. Councilman Wade stressed the need to immediately begin working with Blacksburg and Montgomery County to develop a plan to separate the TDC from the Chamber of Commerce, and he suggested forming a committee to help develop an action plan. In the meantime, however, Councilman Wade suggested signing the contract to participate for twelve more months. Council further discussed the contract changes presented by the Chamber of Commerce. Councilman Wade made a motion to sign the agreement, as presented, for twelve months participation through July 2010, and to give six months notice of intent to not renew the contract, if an action plan is not in place within six months to establish the Tourism Development Commission as a separate entity from the Chamber of Commerce, as originally intended, by July 2010; and to immediately begin working with Montgomery County and Blacksburg to develop an action plan to separate the TDC from the Chamber of Commerce. Councilman Vanhoozier seconded the motion and Town Clerk Stipes polled Council as follows: Barber – AYES; Carter – NAY; Showalter – NAY; Stipes – AYES; Vanhoozier – AYES; Wade – AYES.
5. APCO Service Contracts. Councilman Wade made a motion to authorize the Town Manager to sign a three year contract, and adopt a resolution, for APCO services to governmental facilities as recommended by the VML/VACo/APCo Steering Committee. Councilman Barber seconded the motion. Signing the contract and adopting the resolution will allow the Town to receive a credit over a three year period, in addition to a grant program, from APCO. The grant is no match and the funding must be used for energy efficiency, such as streetlights, and municipal power. Town Clerk Stipes polled Council on the motion as follow: Barber – AYE; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade – AYE. A copy of the Resolution is attached herewith and made a part of these minutes.

TOWN MANAGER REPORTS:

MONTHLY BILLS – On motion by Councilman Vanhoozier, seconded by Councilman Stipes, Council voted to approve the monthly bills to be paid 10 June, 2009, in the amount of \$1,307,831.99. 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:

July 7, 2009

1. Community Development Block Grant program.
2. Rezoning request, Plum Street, B-3 General Business to R-2 Two-Family Residential.

On motion by Councilman Barber, seconded by Councilwoman Carter, 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.

MAYOR BALLENGEE commended Town Staff for their diligence in working day and night to help control rain issues and storm clean-up, during and after the recent, unusual rain storms.

COUNCILMAN BARBER reported on this year's AAA Baseball tournaments and the impact the tournaments have on tourism in Christiansburg. Since April, one hundred eighty (180) hotel rooms have been rented in Christiansburg, and approximately three hundred thousand dollars (\$300,000) was generated at local businesses during that time. The baseball schedule runs through October. Councilman Barber commended Park and Recreation employees Chuck Muncy, Art Price, and Nick Yopp for their tireless management of the baseball program in Christiansburg. At a recent Parks and Recreation Advisory Commission meeting, Councilman Barber suggested that a visitor's map/guide be prepared, indicating Harkrader Sports Complex and surrounding businesses, that can be given to folks visiting the area to attend the baseball games.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 9:00 P.M.

Michele M. Stipes, Clerk of Council

Richard G. Ballengee, Mayor