

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF JANUARY 5, 2010 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 JANUARY 5, 2010 AT 7:30 P.M.

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

ADMINISTRATION PRESENT: Town Manager R. Lance Terpenney; Town Clerk Michele M. Stipes; Assistant Town Manager Helms; Town Attorney Kai Memmer. ABSENT: None.

PLANNING COMMISSION MEMBERS PRESENT: Ann H. Carter; Craig Moore; Steve Huppert. ABSENT: Wayne Booth; Mike Byrd; Kevin Conner.

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

PLEDGE OF ALLEGIANCE.

PUBLIC HEARING

1. Council's intention to impose a fee for accepting credit card and debit card transactions for payment of taxes, utilities, fees, licenses, and any other payments to the Town. Town Council has previously discussed information provided by the Finance Director/Treasurer regarding this matter, and tonight's Public Hearing was scheduled to allow for public comment.

Mr. Deveron Milne commented that he disagrees with charging transaction fees to re-coup credit card costs. Mr. Milne wants the Town to offer online transactions, which will eliminate paper use. He suggested the practicality of providing drop-boxes at various points in Town where residents can drop off payments. Mr. Milne offered suggestions on ways to offer online payments.

Ms. Megan Dorsett of Depot Street asked if a cost analysis was available for paper billing versus online transactions. Finance Director Tweedie replied that she is just beginning to look into the necessary steps for providing online credit card/debit card transactions. Either way, she noted, there will be a cost for providing these services.

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 December 15, 2009. Hearing no changes, Mayor Ballengee declared the Minutes approved as presented.

CITIZEN HEARINGS:

1. Planning Commission's Recommendations on:
 - a. A rezoning request by Hash Investments, LLC for property between Roanoke Street and Prospect Drive (an approximately 3.8 acre portion of the total 4.837 acre tax parcel 500 – ((4)) – 1) from A Agricultural to I-2 General Industrial. The property is scheduled as Industrial in the Future Land Use Map of the Christiansburg Comprehensive Plan. Planning Commissioner Moore read the Planning Commission's resolution recommending Town Council approve the rezoning as requested. Planning Commission vote was Aye – 4; Nay – 1; Absent – 1. A copy of the resolution is attached herewith.
 - b. A rezoning request by F & B Land, LP for property on the southern side of Diana Drive (a portion of tax parcels 525 – ((A)) – 4, 4C, 4D, 4E, 4F, 4G, and 4H) from A Agricultural to R-1 Single-Family Residential (22.59 acres) and R-3 Multi-Family Residential (6.25 acres) with proffers. The property is scheduled as Residential Transition in the Future Policy Map of the Montgomery County Comprehensive Plan. Planning Commissioner Moore read the Planning Commission's resolution recommending Town Council approve the rezoning with proffers. Planning Commission vote was Aye – 5; Nay – 0; Absent – 1. A copy of the resolution and proffers is attached herewith.

- c. Contingent on item 2, a Conditional Use Permit request by F & B Land, LP for property on the southern side of Diana Drive (a 6.25 acre portion of tax parcels 525 – ((A)) – 4, 4C, 4D, 4E, 4F, 4G, and 4H) for a planned housing development in the R-3 Multi-Family Residential District. Planning Commissioner Moore read the Planning Commission's resolution recommending Town Council issue the Conditional Use Permit with five (5) conditions. Planning Commission vote was Aye – 5; Nay – 0; Absent – 1. A copy of the resolution with conditions is attached herewith.

2. Citizen's Comments:

- a. Mr. Deveron Milne of Tranquility Via addressed Council with several concerns. First, he said, there is a Stop sign at the high school along Independence Boulevard that is bent and in need of repair. Also, he noted that there are leaves and debris in need of clearing throughout Town, and there is a bag of trash on the bridge on North Franklin that needs to be picked up. Mr. Milne asked the Town to take care of these matters as an example to the community.
- b. Ms. Megan Dorsett asked the Town to have the snow removal crews clear the snow differently in the future and to be more attentive to private entranceways.
- c. Ms. Terry Ellen Carter of Wooden Shoe addressed Council regarding individuals who park their vehicles along residential streets during a snowstorm, which she believes impedes traffic. Ms. Carter suggested that, in the future, the Town's Ordinance Officer patrol for these situations and handle them according to law.

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. TOWN COUNCIL ACTION ON:

- a. A rezoning request by Hash Investments, LLC for property between Roanoke Street and Prospect Drive (an approximately 3.8 acre portion of the total 4.837 acre tax parcel 500 – ((4)) – 1) from A Agricultural to I-2 General Industrial. Councilman Barber made a motion to approve the request, seconded by Councilman Showalter. Town Clerk Stipes polled Council as follows: Barber – AYE; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade – AYE.
- b. A rezoning request by F & B Land, LP for property on the southern side of Diana Drive (a portion of tax parcels 525 – ((A)) – 4, 4C, 4D, 4E, 4F, 4G, and 4H) from A Agricultural to R-1 Single-Family Residential (22.59 acres) and R-3 Multi-Family Residential (6.25 acres) with proffers. Councilman Stipes made a motion to accept the Planning Commission's recommendation to approve the rezoning, noting that his concerns with the initial request have been satisfactorily addressed. Councilman Wade seconded the motion and Town Clerk Stipes polled Council as follows: Barber – AYE; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade – AYE.
- c. Contingent on item 2, a Conditional Use Permit request by F & B Land, LP for property on the southern side of Diana Drive (a 6.25 acre portion of tax parcels 525 – ((A)) – 4, 4C, 4D, 4E, 4F, 4G, and 4H) for a planned housing development in the R-3 Multi-Family Residential District. Councilman Wade made a motion to approve the Conditional Use Permit with conditions, seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

- 2. DISCUSSION REGARDING CEMETERY COMMITTEE REPORT GIVEN ON DECEMBER 15, 2009. Council discussed various points proposed in the report and agreed that time is needed to fully develop an operational policy that will meet the needs and expectations of the community and at the same time meet the Town's needs to operate a successful cemetery. Councilman Wade made a motion to adopt the recommendations presented by the Cemetery Committee, with a one-year policy review. Councilman Vanhoozier seconded the motion and Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None. A copy of the Cemetery Committee report is attached herewith.

3. STIPES AND VANHOOZIER – Street Committee report/recommendation on:

- a. Lot Line Revision and Easement Relocation of Raintree Village, Section II, Lots 11 and 12 for Randy L. Gibson (2 lots). Councilman Stipes reported that this request is consistent with the subdivision ordinance and he made a motion to approve the plat as presented. Councilman Vanhoozier seconded the motion, and Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
- b. Plat of Subdivision of Tax Map 559 – ((1)) – 5 Creating Lots 5A and 5B for Industrial Development Authority of Montgomery County; creating 2 lots; located Technology Drive, S.E. Mr. Brian Hamilton, Economic Development Director for Montgomery County, explained that this request will allow the County to offer two 5 acre lots for

development, which seems to be more desirable to prospective businesses than one 11 acre lot. Councilman Stipes reported that all is in order with this request and he made a motion to approve the plat as presented. Councilman Barber seconded the motion, and Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

4. CLOSED MEETING:

- a. Mayor Ballengee requested a Closed Meeting under Section 2.2-3711 A(5), *Code of Virginia*, for the discussion of a Falling Branch Corporate Park prospect; and Section 2.2-3711 A(1), *Code of Virginia*, for the discussion of personnel matters regarding appointment to the Planning Commission. Councilman Barber made a motion to enter into a Closed Meeting, seconded by Councilwoman Carter. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
- b. COUNCILMAN BARBER made a motion to come out of Closed Meeting and enter into Regular Meeting. The motion was seconded by Councilman Stipes and voted upon as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
- c. CERTIFICATION – Councilwoman Carter moved to certify that, to the best of each member’s knowledge, only public business matters lawfully exempted from open meeting requirements, under the Freedom of Information Act, and only such public business matters as were identified in the motion by which the Closed meeting was convened, were heard, discussed, or considered in the meeting by the Town Council. Councilman Wade seconded the certification and Town Clerk Stipes polled Council as follows: Barber – AYE; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade – AYE.
- d. COUNCIL ACTION ON THE MATTER – No action was taken by Council.

TOWN MANAGER REPORTS:

MONTHLY BILLS – On motion by Councilman Wade, seconded by Councilman Vanhoozier, Council voted to approve the monthly bills to be paid 10 January, 2010, in the amount of \$1,307,028.82. AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

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

February 2, 2010

1. Rezoning request, A Agricultural and R-3 Multi-Family Residential to MU-1, Depot Street.
2. Conditional Use Permit request for a professional office in the MU-1 zoning district, Depot Street.
3. Rezoning request, A Agricultural to B-3 General Business District, Roanoke Street.
4. Conditional Use Permit request for a Planned Housing Development in the R-3 Multi-Family zoning district, Melody Dr.

On motion by Councilman Barber, seconded by Councilman Wade, 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 reported on a meeting he attended with Montgomery County Emergency Services Director Neal Turner, VDOT representatives, and representatives from the Christiansburg Fire Department, and Rescue and Lifesaving. The purpose of the meeting was to discuss emergency operations during the severe snowstorm that hit the week before Christmas. The group discussed the various emergency situations that arose during and after the storm, how those situations were handled, successes, and areas of weakness that need to be improved upon. Mayor Ballengee commended the emergency personnel, volunteers, and Town crews who worked tirelessly to ensure the safety and well-being of others.

MAYOR BALLENGEE presented Council with two Resolutions recognizing the retirements of James W. Epperly and Roy L. Redd from the Christiansburg Fire Department. The Resolutions will be presented to the men at a later date. Councilman Vanhoozier made a motion to approve the Resolutions, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None. Copies of the Resolutions are attached herewith and made a part of these minutes.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 9:16 P.M.

