

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF MARCH 16, 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 MARCH 16, 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 Terpenny; Town Clerk Michele M. Stipes; Assistant Town Manager Helms; Town Attorney Kai Memmer. ABSENT: Planning Director Wingfield.

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

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

PLEDGE OF ALLEGIANCE.

AMENDMENT TO THE AGENDA:

Councilman Barber made a motion to amend the agenda to include (1) Reappointment to the Virginia's First Regional Industrial Facilities Authority, and (2) Reschedule the May 29th Cruisin' Christiansburg due to a scheduling conflict. Councilwoman Carter seconded the motion and Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

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 March 2, 2010. With no changes or corrections to be made, Mayor Ballengee declared the Minutes approved as presented.

CITIZEN HEARINGS:

1. Resolution of Recognition for the Christiansburg High School Wrestling Team. Councilman Barber, Council liaison to the Parks and Recreation Advisory Commission presented Coach Daryl Weber and the members of the Christiansburg High School Wrestling Team with a Resolution of Recognition for the team's ninth consecutive Virginia State AA Championship. A copy of the Resolution is attached herewith and made a part of these minutes. Members of the wrestling team are: Chris Johnson, Rich Eva, Dane Peeples, Gabe Lump, Zack Epperly, James Linkous, Devin Carter, Joey Dance, Keith Kraft, Brady Epperly, and Nick Criner. Coach Weber thanked the wrestlers and their parents for their efforts and dedication during the wrestling season. He then thanked Town Council for the recognition.
2. Mr. Art Price, Parks and Recreation Director, Update on 2010 Dixie Youth World Series. Mr. Art Price, along with Parks and Recreation Staff Chuck Muncy, Charleton McCoy, Tammy Caldwell, and Pam Peyton, updated Council on the progress of the planning efforts in preparation for the 2010 Dixie Youth World Series to be held this summer in Christiansburg. Mr. Muncy reported that he is selling sponsorships within the community, with successful business participation and community support. Mr. McCoy reported on his efforts to organize the opening ceremony, which will be held at the Christiansburg High School football field and will be similar to the annual July 4th celebration with live music and fireworks. Ms. Caldwell and Ms. Peyton are working together to secure participation and sponsorships from local restaurants. Restaurants that will be participating in the event (to date) are: Wades, Arbys, Custom Catering, Grandma's Goodies, and Wendy's. Ms. Caldwell reported that there is a fundraiser being held at the Wendy's near the New River Valley Mall on May 11th from 5:00 PM to 8:00 PM. Five-percent of the proceeds from sales will benefit the World Series event. The bus system will be organized to accommodate the event, and Mr. Price is working with Radford University and Virginia Tech to do campus tours of the Universities. Mr. Price said that Nick Yopp and Brian Lambert, who are not present, are in charge of selling event programs. Mayor Ballengee thanked Mr. Price and his team for the efforts being made to make this and unforgettable event.

3. Mr. Kevin Byrd, New River Valley Planning District Commission, to address Council. Mr. Kevin Byrd introduced himself to Council and gave a brief overview of the New River Valley Planning District Commission. Mr. Byrd, appointed Executive Director of the Planning District Commission in October 2009, said he has spent the past five months getting to know people in the New River Valley and establishing ways to successfully work together. Mr. Byrd thanked the Town of Christiansburg for its positive involvement with the PDC, acknowledging Scott Weaver's thirty-eight years of service, Brad Stipes' nine years of service, and Henry Showalter's present service on the Commission as representatives of Christiansburg. Mr. Byrd recognized Councilman Barber's long-term service on the Development Commission. He then provided Council with a brochure defining the Commission's mission statement, activities, and vision for the future. He also provided a copy of the New River Valley News and Views, a monthly newsletter by the PDC, to each Councilmember. Also addressed were membership dues, which cover services such as rural transportation program through the Metropolitan Planning Organization, transportation enhancement projects, and trail networks for the region. A newly established regional project is the New River Valley Home Consortium, a special program requested from individual localities, usually for downtown revitalization. Councilman Stipes noted the tremendous return of eight to nine dollars per one dollar on donations. And, Councilman Barber thanked Mr. Byrd on behalf of the Development Corporation for his involvement and guidance. Mayor Ballengee thanked Mr. Byrd and stated that Christiansburg has always been, and continues to be, a strong advocate of regional cooperation.
4. Citizen's Comments:
 - (a) Ms. Betty Bartsmith introduced Council to her business Animal HOPE Alliance, Inc. (AHA), a non-profit organization whose emphasis is on spay/neuter and trap-neuter-return (TNR) for stray cats and dogs. The organization not only neuters/spays the stray animals, but also provides rabies vaccinations. AHA maintains medical records for these animals, including rabies certification, location, and identifying pictures. Ms. Bartsmith said TNR is the compassionate solution to population control of free-roaming cats. AHA also manages two cat colonies in Christiansburg with the help of a volunteer caretaker. Many of the kittens trapped and spayed/neutered are placed in homes rather than returned to the wild. Ms. Bartsmith said that the cost of approximately fifty-five dollars per animal is offset by grants and donations. Ms. Bartsmith asked how Animal HOPE Alliance can better work in partnership with Christiansburg to care for the cats, reduce complaints and ultimately decrease feral cat population. Mayor Ballengee said he was happy to have her information as feral cat complaints are brought before Council from time to time. The Mayor said he will begin referring concerned citizens to AHA, since neither the County, nor the Town, have a specific place or plan for feral cats. Councilman Barber suggested the Town post Animal Hope Alliances, Inc. information on the Town's website.
 - (b) Ms. Ann Hess, of Christiansburg, said her neighborhood had a problem with feral cats at one time and AHA helped the community successfully manage the animals. Ms. Hess, noting that stray animals pose a health threat to the community, thanked Council for its positive response to Ms. Bartsmith.
 - (c) Carol Lindstrom, Depot Street, also voiced her support for AHA. Ms. Lindstrom then commented that a certain veterinary office in Christiansburg provides a drop-off area for injured animals and that she is aware that people using the drop-off parking are being ticketed by Police Officers for parking in a fire lane. She asked Town Council to look into this matter.

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. REQUEST TO RESCHEDULE THE MAY 4, 2010 TOWN COUNCIL MEETING TO MAY 3, 2010 IN CONSIDERATION OF MAY 4TH LOCAL ELECTIONS. Councilman Wade made a motion to reschedule the May 4, 2010 Town Council meeting to May 3, 2010. Councilman Showalter seconded the motion and Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
2. REAPPOINTMENT TO VIRGINIA'S FIRST REGIONAL INDUSTRIAL FACILITIES AUTHORITY. Mr. Randy Wingfield's term on the VFRIFA will expire on June 1, 2010, and Mayor Ballengee reported that the Authority has recommended Town Council reappoint him to serve another term. Councilman Barber made a motion to reappoint Randy Wingfield to the VFRIFA, seconded by Councilwoman Carter. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
3. REQUEST TO RESCHEDULE THE MAY 29, 2010 CRUISIN' CHRISTIANSBURG EVENT. Councilman Barber made a motion to reschedule the May 29, 2010 Cruisin' Christiansburg event for June 12, 2010, due to a conflict with a previously scheduled downtown church event. 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.

4. COUNCILMAN STIPES requested that the Street Committee be allowed to provide an update on the downtown parking issue. Mayor Ballengee conceded. Councilman Stipes reported that the Street Committee has met with representatives of Montgomery County on numerous occasions and have developed a plan that will provide forty additional parking spaces near the east end of Main Street. Specific details will be provided in the near future and will include reducing travel lanes on First Street from four lanes to two lanes, without impeding the flow of traffic. Montgomery County has agreed to provide various parking adjacent to Pepper Street for additional parking. Councilman Stipes thanked Mayor Ballengee for the opportunity to provide this update.
5. 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 Industrial Park prospect. Councilman Barber made a motion to enter into a Closed Meeting, seconded by Councilman Wade. Town Clerk Stipes polled Council on the motion as follows: Barber – AYE; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade - AYE.
 - b. Councilman Barber made a motion to come out of Closed Meeting and enter into Regular Meeting, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
 - c. Certification – Councilwoman Carter moved to certify that the Town Council of the Town of Christiansburg, meeting in Closed Meeting, to the best of each member's knowledge, discussed only the matters lawfully exempt from open meeting requirements by Virginia Law and only such matters as are identified in the Resolution to enter into Closed Meeting. Councilman Barber seconded the certification and Town Clerk Stipes polled Council as follows: Barber – AYE; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade - AYE.

TOWN MANAGER REPORTS:

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

April 6, 2010

1. Conditional Use Permit request for digital electric signage in the Central Business District.
2. Conditional Use Permit request, Falling Branch Industrial Park, above ground diesel tank.

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.

TOWN MANAGER TERPENNY reported that a joint work session with the Planning Commission has been scheduled for March 23, 2010 from 4:00 P.M. to 7:00 P.M., to review and discuss VDOT standards, sidewalks, and green/open space.

TOWN MANAGER TERPENNY reported that the Joint 911 efforts have been successful as the General Assembly recently approved a request to form a Joint 911 Authority, effective July 1, 2010.

TOWN MANAGER TERPENNY provided an update on several citizen requests heard at the March 2, 2010 Town Council meeting. Beginning with Scott Cooper's request, Manager Terpenny reported that the Town will apply utility payments already made to the Town for this property to the cost of the connection fees. Regarding Connie Turner's request, an estimate on replacing the sewer line has been completed concluding a cost of approximately five-hundred thousand dollars. Town Manager Terpenny reported that it was determined that replacement of the line is necessary and this capital improvement project will be included in the upcoming 2010-2011 budget. Concerning a request by Charles Taubman, Jr. of Pepper Street for reimbursement of costs associated with a recent sewer back-up in his home, Town Manager Terpenny informed Council that Town crews had successfully located and removed a blockage in the system, and that the Town's insurance company had denied Mr. Taubman's claim due to lack of negligence. While sympathetic to Mr. Taubman's situation, Councilman Barber stressed the importance of being consistent in the Town's response to these types of requests; otherwise, he noted, the Town will risk setting precedence for future claims, possibly being unfair to past claims. Councilman Barber made a motion to deny Mr. Taubman's request for reimbursement, seconded by Councilman Showalter. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None. Mayor Ballengee asked the Town Attorney to respond to Mr. Taubman's request, and he asked Town Manager Terpenny to notify Ms. Turner of Council's intent to include the replacement of the sewer line along Alleghany Street as a capital improvement in the upcoming budget. Research is continuing on the matter of defining inoperable/abandoned vehicles and

coverage or screening of those vehicles. Town Attorney Memmer said she hopes to finalize her research and present her findings at the next Town Council meeting.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 9:20 P.M.

Michele M. Stipes, Clerk of Council

Richard G. Ballengee, Mayor