

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF APRIL 6, 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 APRIL 6, 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 Planner Nichole Hair; Town Attorney Susan Waddell. ABSENT: None.

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

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

PLEDGE OF ALLEGIANCE.

JOINT PUBLIC HEARING

1. An ordinance amending Chapter 3 "Advertising" of the Christiansburg Town Code in regards to community-based curbside recycling collection service signage. Mr. Ryan Stewart, co-owner of Valley Curbside Recycling, explained that the small business is requesting inclusion in the guidelines pertaining to advertising because there are currently no laws in Christiansburg's *Code* that govern any aspect of curbside recycling. Advertising is a current need of Valley Curbside Recycling and the Town has the opportunity to recognize the new small business by including signage guidelines in the *Town Code*. The type of signs the business is interested in are small signs that would be placed at new curbside pick-up addresses for the duration of fourteen days. Mr. Stewart reported that Valley Curbside Recycling now successfully operates five days per week, along with town garbage pick-up.
2. A Conditional Use Permit request by Economic Development Authority of Montgomery County, Virginia for property on the western side of Technology Drive (tax parcel 559 – ((1)) – 1B) for above ground diesel fuel storage in excess of 80,000 gallons in the I-2 General Industrial District. Mr. Brian Hamilton, Economic Development Director, explained that this request is for two on site generators for phases one and two of the future development of East Coast Industrial Prospect, a business that operates twenty-four hours per day, seven days per week. Mr. Hamilton said that East Coast Industrial Prospect has agreed to the five conditions discussed in the Planning Commission meeting and set forth in the Conditional Use Permit to be recommended later in tonight's meeting. Manager Terpenney referenced a letter received from Montgomery County School Board, a neighboring property owner, supporting the request and five conditions to be recommended.
3. A Conditional Use Permit request by Main Street Preservation RLLLP for property at 1 First Street, S.W. (tax parcel 527 – ((A)) – 81) for an electronic messaging sign in the B-2 Central Business District. Mr. Joe Simmons explained this request for an LED sign on his newly established property adjoining the Papa John's restaurant at the corner of First Street and South Franklin Street. The thirty-five square foot sign will be bricked and will run in slow rotation during business hours. Mr. Simmons showed Council a picture of a sign in Roanoke as an example of his intentions.

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 16, 2010. Councilman Barber made a motion to accept the Minutes as presented, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

CITIZEN HEARINGS:

1. Citizen's Comments:

- a. Lisa Lucas Gardner asked for a progress report on her previous request regarding abandoned vehicles. Attorney Waddell reported that Attorney Memmer has been working with Chief Sisson on this issue and plans to bring her findings to Council in May.
- b. Mr. Jimmy Caldwell of King Street brought his concerns to Council regarding traffic violations along King Street and intersecting Murray Street. Excessive speeds and running the Stop sign are two of the ongoing issues. Mayor Ballengee directed Manager Terpenney to speak with the Police Department about monitoring the traffic situation on these streets.

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. RESOLUTION APPROPRIATING TOWN CREDIT CARD LIMITS. Town Manager Terpenney explained that this request is to increase the limit on the Town's credit card held by Assistant Town Manager Barry Helms from twelve thousand dollars to twenty thousand dollars. The credit card held by Mr. Helms is used town-wide for things such as registration and reservation fees and charges. The attending bank requires Town Council authorization in the form of a resolution, which is being presented for Council consideration. Councilman Stipes made a motion to approve the resolution requesting the credit limit increase, seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
2. WATER LEAK ADJUSTMENT FOR COMMERCIAL ACCOUNT. Mayor Ballengee reported that the Town received a letter from a town business property owner requesting reimbursement for water and sewer charges resulting from a damaged water pipe that has been leaking for years. Thousands of gallons of water have been lost over the years for which the property owner has been charged. The owner of the property owns a successful mobile home park and became aware of a leak several years ago. The owner has been to the Town several times over the years regarding this matter and has made numerous unsuccessful attempts to isolate the leak. Town crews have also made numerous unsuccessful attempts to locate the water line leak. The leak was recently discovered going into a rock crevice and not surfacing. The leak was master metered and the property owner has paid for the lost water. Town Manager Terpenney reported that the property owner had the leak fixed, once it was found, and he would be satisfied with any form of relief whether credit, cash, or monthly allocation. It was noted that each mobile home in the park is individually metered and the property owner is not allowed to pass along the fee for the lost water to the tenants. Town Manager Terpenney said that there are no guidelines for reimbursement to businesses, but the Town could use the guidelines set forth for residential property in calculating a reimbursement. Councilman Wade made a motion to accept the Town managers recommendation to calculate the average usage using guidelines set forth for residential property, and to issue a credit reimbursement based on that calculation. Councilwoman Carter seconded the motion and Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
3. REQUEST FOR TAILGATE PARTY ON SEPTEMBER 17, 2010, AND WILDERNESS TRAIL FESTIVAL ON SEPTEMBER 18, 2010. Councilman Wade explained that the Events Committee was interested in making the Wilderness Trail Festival a two day event, but vendors were concerned it might conflict with the Virginia Tech football game that weekend. The Events Committee is requesting the close of Main Street and portions of College Street for a tailgate party on Friday, September 17, and the Wilderness Trail Festival on Saturday, September 18. The streets would be closed in the same manner as the tailgate parties in the past. Councilman Wade reported that the tailgate party is being held in partnership with the United Way and Kiwanis. Councilman Vanhoozier stated that he will abstain from voting because of a personal conflict between the tailgate party and the Wilderness Trail Festival. Councilman Stipes said he will not support the tailgate party, commenting that it doesn't send the right message of who we are as a town, especially to the young people. Councilman Barber commented that the tailgate parties have been well received by those in attendance and he believes people look forward to the festivities. Councilman Barber further commented that a good portion of the proceeds of the event will go to the United Way. Councilwoman Carter said she is in support of the tailgate if it will support the Wilderness Trail Festival. Mayor Ballengee noted that originally he had reservations about the tailgate parties being held downtown because of the close proximity to several churches; however, he said he has not received any complaints from area churches, or regarding the tailgate parties in general. After discussion, Councilman Barber made a motion to approve the request for a tailgate party on September 17, 2010 and the Wilderness Trail Festival on September 18, 2010, and to close Main Street and portions of College Street in the same manner as was done for tailgate parties in the past. Councilman Showalter seconded the motion and Town Clerk Stipes polled Council as follows: Barber – aye; Carter – aye; Showalter – aye; Stipes – nay; Vanhoozier – abstain; Wade – aye.
4. RESOLUTION OF RECOGNITION OF THE CHRISTIANSBURG HIGH SCHOOL INDOOR TRACK TEAM. Councilman Showalter made a motion to approve a Resolution of Recognition of the Christiansburg High School Indoor Track Team for its championship win in 2010, seconded by Councilman Vanhoozier. Council voted on the motion as

follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None. A copy of the Resolution is attached herewith and made a part of these minutes.

5. STREET COMMITTEE REPORT/RECOMMENDATION – COUNCILMEN STIPES AND VANHOOZIER.

- a. Report regarding First Street parking. Councilman Stipes introduced to Council a plan developed in coordination with Montgomery County to improve the downtown parking situation by creating an additional forty parking spaces for the duration of the courthouse construction. The plan includes reducing the four travel lanes along First Street to two travel lanes and creating herringbone parking along the westbound lane. In addition to this, the County plans to rent the vacant parking lot near the Hardees restaurant for additional parking. Town Manager Terpenney is currently working on a cost estimate for this plan. Councilman Barber questioned limiting parking times, commenting that he will not support a plan that will inconvenience citizens. Councilman Vanhoozier commented that the Town is limited in options and Councilman Stipes replied that from a traffic engineer's perspective this plan will not create major traffic issues and the left turn lane will remain for smooth traffic flow. Signs and a crosswalk will be placed to help with the transition. Final action will be with the cost estimate once it is presented to Council. Council then discussed the issue of left turns out of the Post Office at the intersection of N. Franklin and Main Street. Current downtown construction has made these turns a traffic problem and the Town receives many complaints about this issue. Councilman Vanhoozier made a motion to place a sign indicating "Right Turn Only" out of the Post Office onto N. Franklin Street, eliminating the option to make a left turn. Councilman Showalter seconded the motion and Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None. This action will take effect once due notice has been given and the appropriate signage has been placed.
- b. Resubdivision of Willow Springs Farm, Lots 50, 51, & 52 and Parts of Lots 48, 49 & 60, Prepared for Billy & Caroline Brizendine; creating 2 lots; located on Elk Drive and Radford Street. Councilman Stipes reported that this request is to create two lots in the R-2 Two-Family Residential Zoning. This request conforms with the subdivision ordinance and all is in order with the plat. Councilman Stipes made a motion to approve the resubdivision request, seconded by Councilman Vanhoozier. 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 Councilman Wade, Council voted to approve the monthly bills to be paid 10 April, 2010, in the amount of \$1,376,790.29. AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

TAXI CAB BUSINESS AND LICENSE RENEWAL APPLICATIONS – Town Manager Terpenney submitted to Council taxi cab license renewal applications for Christiansburg Cab Service, Inc., and its drivers. The Christiansburg Police Department has investigated the taxi cab drivers and recommends approval. On motion by Councilman Wade, seconded by Councilwoman Barber, Council voted to approve the requested taxi cab license renewals for Christiansburg Cab Service and its drivers. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

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

May 3, 2010

1. Conditional Use Permit request for residential use in the B-3 General Business District, Liberty Street.

On motion by Councilman Barber, seconded by Councilman Stipes, 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.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 8:45 P.M.

