

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF MAY 18, 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 MAY 18, 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; Finance Director/Treasurer Val Tweedie; Town Planner Nichole Hair; Asst. to the Town Manager Adam Carpenetti; Public Relations Officer Becky Hawke; Town Attorney Susan Waddell.

PLANNING COMMISSIONERS PRESENT: Chairperson Craig Moore.

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

**PLEDGE OF ALLEGIANCE.**

MAYOR BALLENGEE opened the meeting by calling forward Christiansburg High School freshman Leah Piemonte and her diving coach, Amy Brehl. Mayor Ballengee presented to Ms. Piemonte a Resolution recognizing her accomplishment in winning the VHSL State Championship for diving, and for establishing a new state record for scoring 368.6 points for eleven dives on the one-meter diving board. Mayor Ballengee, on behalf of Town Council, congratulated Ms. Piemonte and her coach, Amy Brehl, on her diving success. This Resolution of Recognition was adopted by Council at the May 3, 2010 regular Town Council meeting.

**JOINT PUBLIC HEARING**

1. A Conditional Use Permit request by Jason M. Underwood and Brian C. Litton for property on the southern side of Liberty Street (tax parcels 528 – ((2)) – 46A and 50A) for residential use in the B-3 General Business District. Ms. Meghan Dorsett of Depot Street commented that she is in favor of the CUP, but questioned the plans for the property. Ms. Dorsett also questioned if adequate notification is giving of rezoning requests in residential areas. Lisa Gardner of Phlegar Street also questioned the plans for the property. Town Planner Hair noted that the request is for single-family residential on two lots, but that plans have not yet been presented. Mayor Ballengee asked if the Town has received correspondence concerning this request, to which Manager Terpenny responded that no correspondence has been received.

**PUBLIC HEARING**

1. Proposed Budget for the Fiscal Year 2010 – 2011. Town Manager Terpenny reviewed the revenue projections, noting a 2.4 Million Dollar reduction from last year. The Town lost some of its State aid this year, and the water and sewer rates were increased. Councilwoman Carter noted that this increase is actually a pass through to the Water Authority. A one-percent increase is proposed for meals tax, and it is proposed that ninety-percent of grave site sales be placed in the general fund, with ten-percent going into perpetual care. Councilman Barber said he is pleased with the willingness of department heads to trim budget requests. He also commended Finance Director/Treasurer Val Tweedie for providing budget details. At citizens' inquiries, Mayor Ballengee noted that funds for a sewer upgrade for Allegheny Street are included in the budget, along with fifteen hundred dollars for Brain Injury Services. Ms. Carol Lindstrom questioned the necessity of the funds reserved for the future rescue squad building. It was noted by Mayor Ballengee that these funds are undedicated, yet earmarked for the future rescue squad building. Terry Carter of Wooden Shoe Court questioned the necessity of the funds allotted for training expenses. Ms. Carter said she believes the amounts are excessive and demanded itemization of these expenditures. Mr. Roger McCauley of Wooden Shoe Court referenced the City of Roanoke procedures regarding internal auditing and recommended the Town consider this practice to save on the cost of an external auditor. Lisa Gardner of Phlegar Street questioned the necessity of take-home police patrol vehicles for officers who live out of town limits. Councilman-Elect Cord Hall commented that the problem he sees with the budget is that the Town is borrowing from its reserves. He questioned the funding set aside for the future rescue squad building, and is concerned about the impact of cutting the paving program, the aquatic center supplement, overtime policies, and the impact this year's budget will have on

next year. Mr. Hall said he doesn't have a solution in mind, but stressed the importance of trimming expenditures as much as possible. Mr. Harold Shelton spoke in opposition of the proposed increase to meals tax, and commented that the improvements to downtown are making the town unfriendly. Mr. Rocky Capozzi questioned the internal benefits to town employees, suggesting cutting costs in that area.

#### **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 3, 2010. Councilman Showalter asked that the Minutes be amended as follows: (1) Item #6 under Discussions by Mayor and Council Members, to include Councilman Showalter's comment that Council has the option to use all funding from the VDOT Revenue Sharing Program to extend the Huckleberry Trail to the Recreation Center, or as far as funding will allow. (2) Item #7 under Discussions by Mayor and Council Members, to clarify that Councilman Showalter's concerns stem from a discrepancy of \$400,000 between the amount of \$1.1 Million Dollars quoted in the aquatic center business plan for annual operations, and the \$1.5 Million Dollars quoted for this same line item in a recent press release from the Public Relations Officer. Town Manager Terpenny commented that the \$1.1 Million Dollars quoted in the business plan did not include principal and interest on the debt. Councilman Showalter was also concerned that it was quoted in the same press release that real estate taxes would not be increased to cover the cost of aquatic center operations when Town Council has not discussed this matter. Councilman Showalter commented that representation of Town Council, and matters of Town Council, should be reviewed for accuracy by Council before being released to the press. Councilman Barber made a motion to approve the Minutes, with amendments as outlined by Councilman Showalter, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

#### **CITIZEN HEARINGS:**

1. Kevin Stoner to address Council. Mr. Stoner presented to Council for approval the 2010 Christiansburg Food Festival and Events to be held on Main Street and College Street on August 14, 2010 from 11:00 A.M. to 4:00 P.M. Southwestern Virginia Golf, Travel, and Events will host the event. The event will include food vendors, contests/competitions, play areas for children, and a beer garden. Proceeds from one of the events will be given to the newly established Marvin Jarels Christiansburg High School Scholarship. Mr. Stoner asked that Council allow portions of Main Street and College Street to be closed during the event hours, and that he be allowed to place a banner of advertisement across Main Street. Mr. Stoner said his goal in organizing this event is to provide activities for people who are in town for the Christiansburg High School Reunion weekend. Councilman Barber said he is comfortable supporting Mr. Stoner's request for a banner, but would like to review the festival information before making a decision. Councilman Stipes said he is unable to support the request because of his stance on outdoor alcohol sales at downtown events. Councilman Vanhoozier commented that he supports the request because it was clarified by Mr. Stoner that the outdoor alcohol sales would take place in the parking lot of a local business and not on town owned property. Councilman Barber made a motion to approve Mr. Stoner's request for an advertisement banner across Main Street, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Vanhoozier, Wade. NAYS: Stipes. Mayor Ballengee moved the discussion on the festival request to the Discussions portion of tonight's meeting.
2. Citizen's Comments.
  - a. Lisa Lucas Gardner spoke in support of the request to name the circular street in front of the downtown Post Office "Marvin Jarels Circle". Ms. Gardner spoke highly of Mr. Jarels' character and suggested, in addition to naming the street after him, that the Town plant a tree in his honor. Ms. Gardner noted that Mr. Jarels' family is in attendance tonight.
  - b. Marissa Sachs, a downtown merchant, spoke in support of Kevin Stoner's request regarding the 2010 Food Festival and Events, commenting this event is a good way to get people to visit the downtown area.
  - c. Ms. Carmen Hammick of Main Street said she is present in support of Marvin Jarels' family and the request to memorialize Mr. Jarels' by naming the Post Office drive "Marvin Jarels Circle", and any other fitting way. Ms. Hammick said she frequented the downtown Post Office because of Mr. Jarels, whom she said was a warm, gentle soul, likening him to Andy Griffith.
  - d. Mrs. Nadine Jarels, Marvin Jarels' wife, along with their son, thanked those who initiated memorializing Marvin downtown. Mrs. Jarels said Marvin took pride in his work and in the postal facility. The Post Office was his home away from home and he loved the job, the building, and the people who came into the Post Office. She asked that Town Council consider and approve the request to memorialize Mr. Jarels in the manner requested.

- e. Ms. Connie Turner said she knew Marvin Jarrels and his family well and agreed that he took much pride in his work and in the Post Office. She said it would be an honor to him and his family to name this small area in his memory.
- f. Ms. Meghan Dorsett also spoke in support of naming the drive in front of the Post Office in Marvin Jarrels' memory. She said she hopes the town will continue to support the downtown Post Office so there is no danger of it closing. Mayor Ballengee dispelled vague rumors that the downtown Post Office may be in danger of closing due to a lack of business, noting that the Town has never been notified of any such intent.
- g. Leann Shrek, a friend of Marvin Jarrels' family, thanked everyone who sent in donations in Mr. Jarrels' name. The family has received over two thousand dollars that will go into a scholarship fund that will honor Mr. Jarrels' and provide education opportunities for recipients.
- h. Mr. Deveron Milne addressed Council regarding the anticipated retirement of Rescue Squad Captain, Kelly Walters. Mr. Milne said he recently attended a meeting of the Rescue Squad and Fire and Rescue Committee of Council and he is looking forward to seeing the job description for this position that is soon to be created. Mr. Milne said he hopes the description will call for a high level of training and credentials to ensure the leadership success of the squad. Mr. Milne stressed the importance of EEOC compliance.
- i. Ms. Carol Lindstrom said she attended the meeting mentioned by Deveron Milne, and her concern is that the members of the Fire and Rescue Committee of Council are not experienced enough to understand the needs, concerns and expectations of the Rescue Squad. Ms. Lindstrom said that citizen involvement, and the addition of rescue squad members to the Fire and Rescue Committee of Council, are necessary for a balanced and informed Committee. Mayor Ballengee noted that he expects to soon receive a report from the Fire and Rescue Committee regarding the mentioned meeting.
- j. Mr. Alan Wagner of Red Leaf Court, said he is highly supportive of any ordinance that will regulate inoperable vehicles in town. Mr. Wagner submitted photographs of inoperable vehicles, including construction vehicles that have been sitting vacant for years near his home in a major residential area. Mr. Wagner said this issue creates an unsafe environment and has affected his ability to sell his property. He asked that the Town approve regulations that will clean-up the mess indicated in the photographs.

#### DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

- 1. Inoperable Motor Vehicle Ordinance. Attorney Susan Waddell reviewed the proposed amendments to the Inoperable Motor Vehicle Ordinance, which mostly focuses on clarifying definitions. Councilman Vanhoozier commented that a strong deterrent for non-compliance set forth in the amendment is the seventy-two hour grace period and subsequent Class 1 misdemeanor violation. Police Chief Sisson, who was integral to preparing the amendment, supports the amendment as it is written, with an effective date of July 1. Councilman Vanhoozier made a motion to adopt the amendment, effective July 1, seconded by Councilman Wade. Town Clerk Stipes polled Council as follows: Barber – AYE; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade – AYE.
- 2. Councilwoman Carter and Councilman Vanhoozier – Fire and Rescue Committee Report:
  - a. Meeting with Christiansburg Rescue Squad. Councilwoman Carter reported that the Fire and Rescue Committee recently met with rescue squad members regarding the nearing retirement of Captain Kelly Walters. In addition to the Fire and Rescue Committee members, Councilmen Showalter and Stipes were present, along with Assistant Town Manager Helms. Amid much uncertainty with filling the upcoming vacancy, the purpose of the meeting was to gather ideas from the Rescue Squad members, and to discuss possible requirements to be included in the creation of a job description for the position of Captain. Rescue Squad members were asked to email suggestions to the Fire and Rescue Committee, along with the names of current members believed to be appropriate to serve as a liaison on the Fire and Rescue Committee. The Fire and Rescue Committee will soon review the emails received from members of the Rescue Squad. Councilman Showalter is concerned that the lengthy process of advertising and hiring someone to fill the vacancy can't be completed by June 1, which is rumored to be Captain Walter's retirement date. (It was noted that, as of this date, Captain Walters has not submitted his resignation in writing to the Town.) Councilman Vanhoozier stressed the importance of establishing necessary requirements before writing a description for the position, which is necessary before advertising for the position. Councilman Vanhoozier said the Fire and Rescue Committee is waiting for further direction on this matter and urged the Town to get the resignation details in writing.

3. Councilman Stipes and Councilman Vanhoozier – Street Committee Report:
  - a. Request to rename the circular street in front of downtown Post Office. Councilman Stipes reported that the Street Committee met to discuss this request and during the meeting it was brought to the Committee's attention that there is a group of community citizens interested in placing a monument or planting a tree in Marvin Jarels' memory. The Street Committee is interested in discussing these ideas with the community group to determine an appropriate and fitting way to memorialize Mr. Jarels. Councilman Stipes acknowledged and welcomed the family members of Mr. Jarels present at tonight's meeting. Councilman Barber said he supports working with the citizen group, but stated that he also supports immediate action on this request regarding naming the circular street at the downtown Post Office. Councilman Barber made a motion to name the circular street in front of the downtown Post Office "Marvin Jarels Circle" in memory of the former long-time Postman. Councilman Wade seconded the motion. Councilman Wade said he supports immediate action on the request, and can place a monument at a future date. The Street Committee expressed its strong support for naming the street in Mr. Jarels' memory. Concerning the placement of a monument and/or benches near the Post Office, Mayor Ballengee noted that regulations will need to be reviewed since the Post Office is Federal Government property. Mayor Ballengee also expressed support for providing in-kind service for placement of a monument and/or benches. Town Clerk Stipes polled Council on the motion as follows: Barber – AYE; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade – AYE. Mayor Ballengee, although not required to vote, placed an AYE vote in support of Mr. Jarels and his family. Mayor Ballengee thanked the family members of Mr. Jarels for attending tonight's meeting.
  - b. Matter regarding sidewalk near StellarOne. This discussion concerns the newly constructed sidewalk near StellarOne that shifts traffic to the left, narrowing the traffic lanes near the intersection of East Main and North Franklin. The Town has received complaints that this sidewalk design impedes traffic and causes traffic congestion. Manager Terpenny commented that the sidewalk was designed to tie into a future project extending down North Franklin Street. After reviewing the matter, the Street Committee recommended improving the pavement marking pattern to more smoothly guide traffic through this area, including shifting over the double center line. All traffic lanes would shift out and away from the sidewalk bump-out. Councilman Vanhoozier added that the stop bar at the intersection of East Main and North Franklin could be moved closer to the stoplight for a more effective pass through the intersection. If approved, the Street Committee will review the changes in the coming months for effectiveness. Mayor Ballengee asked the Street Committee to provide a visual sketch of the recommended changes for the next Town Council meeting. Councilman Barber noted that VDOT approval is needed for any construction changes, but not for pavement marking changes, making this recommendation a quick, effective solution. Construction changes can be made in the future, if needed, when funding becomes available.
  - c. Update on the status of the Courthouse construction parking matter (not on agenda). The Town submitted a cost proposal for sixteen additional parking spaces and the County responded by asking the Town to share in the cost of this addition. The Town will be providing the work forces necessary to provide the parking spaces and Town Council was unanimous in the belief that the County should cover the costs associated with creating the parking spaces. Councilman Barber commented that he is not in favor of the designed herringbone parking along First Street. His concern is that this type of parking may increase the risk of accidents in this area. Councilman Vanhoozier replied that the Street Committee based this design on the recommendation of the Town's Engineering Department. The Engineering Department's review included safety considerations. Councilman Stipes agreed with the Engineering Department's determination, calling this design a good, cost effective, short-term solution. Councilman Showalter expressed his appreciation for those who have worked on this project. Councilman Wade made a motion to proceed with construction of the sixteen additional parking spaces once Montgomery County has agreed to bear the cost of the project. Councilman Showalter seconded the motion and Town Clerk Stipes polled Council as follows: Barber – AYE; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade – AYE.
4. Kevin Stoner's request regarding a Christiansburg Food Festival and Events (continued from the Citizen Hearing). After further discussion on the matter by Council, Councilman Wade made a motion to close portions of Main Street and College Street as determined by Mr. Stoner, providing that Mr. Stoner obtain a Certificate of Insurance for liability purposes, an assembly permit, and a loud speaker permit. Councilman Barber seconded the motion. Town Clerk Stipes polled Council as follows: Barber – AYE; Carter – AYE; Showalter – AYE; Stipes – NAY; Vanhoozier – AYE; Wade – AYE. Councilman Showalter asked that Mr. Stoner email the operation plans for the beer garden to Clerk Stipes for

inclusion in the official Minutes of record. Councilwoman Carter asked Police Chief Sisson to inform Council of any police incidents involved with this event.

**TOWN MANAGER REPORTS:**

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

June 1, 2010

1. Proposed rates and fee increases for Fiscal Year 2010-2011.

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.

**COUNCILMAN STIPES** requested another budget work session before the second reading of the budget on June 1, 2010. Mayor Ballengee set a budget work session date of May 25, 2010 at 4:00 P.M.

**TOWN MANAGER TERPENNY** reported that the Water Authority is planning a pump station upgrade that includes placement of a major transmission line. In order to make this upgrade, the Water Authority needs to secure land easements and some of the easements needed are on Town property in various areas of Town. Providing these easements will have no impact on the operations of these Town properties. Councilman Barber asked if the Town Manager supports providing the easements. Town Manager Terpenny said he worked with the Authority to position the transmission line and supports providing the land easements. Councilman Barber made a motion to provide the necessary land easements, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, Wade. Nays: None.

**COUNCILMAN BARBER** noted that the Town now offers direct debit for payment of utility bills and enrollment forms can be obtained in the Treasurer's office and on the Town's website.

**ADJOURN:**

There being no further business to bring before Council the meeting was adjourned at 9:45 P.M.

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor