

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF JULY 20, 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 JULY 20, 2010 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Vice-Mayor Ann H. Carter; D. Michael Barber; D. Henry Showalter; James H. Vanhoozier; H. Earnest Wade. ABSENT: Mayor-Richard Ballengee; Councilman Bradford J. Stipes.

ADMINISTRATION PRESENT: Town Manager R. Lance Terpenny; Interim Town Clerk Amber S. Beasley; Assistant Town Manager Barry Helms; Public Relations Officer Becky Hawke; Eng. & Public Works Director Wayne Nelson; Planning Director Randy Wingfield; Finance Director/Treasurer Valerie Tweedie; Town Attorney Jim Guynn.

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

PLEDGE OF ALLEGIANCE.

VICE-MAYOR ANN H. CARTER stated there was a quorum present of Council Members.

VICE-MAYOR ANN H. CARTER called the Joint Public Hearing to order.

JOINT PUBLIC HEARING

1. A Conditional Use Permit renewal request by Main Street Baptist Church for industrialized building units being utilized as office and classrooms at 106 W. main Street (tax parcel 526 - ((A)) – 201 in the B-2 Central Business District. There was no one to speak pertaining to this Conditional Use Permit.
2. A Conditional Use Permit request by Oscar Gray (acting as agent for property owner Rakesh Aggarwal) for a game room at 1225-C Roanoke Street (tax parcel 528 - ((A)) - 2 and 8 in the B-3 General Business District. Mr. Oscar Gray explained to Council that this would be a family style arcade. He described the security system that he would have in place consisting of a surveillance camera that would be monitored by his employee located next door in the D & D Speedy Mart. He continued to explain that there would not necessarily be an employee supervising in the arcade, that the part-time employee would monitor the security camera and would physically enter the arcade if deemed necessary. He commented that there was no other business like this in Town and felt that it would provide a place that would be beneficial to other local businesses and where families and youth could go for fun.
3. A rezoning request by Albert Land, LP for property on the northern side of Peppers Ferry Road, N.W. located on Albert Lane and 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. Mr. Steve Semones with Balzer and Associates Inc. explained how after much consideration and discussions that they would remove the Sage Lane road connection from the proffer statement. He went on to say that the proposed improvements of Albert Lane will effectively serve the proposed development, Ivy Ridge, and their preliminary conceptual plan shows two other future road connections, one to the west and one to the north. He continued to say that if Town Council or Town Staff believed that the Sage Lane road connection should be constructed, the required infrastructure and right of way will be in place to allow this. Mrs. Liz Edwards of Sage Lane expressed her concerns of traffic and safety for her children and the families of Sage Lane if the Ivy Ridge development is built using the Sage Lane as the entrance/exit to both developments. She continued to express how Sage Lane was already a high-traffic area and extending the use of Sage Lane into Ivy Ridge would only intensify matters. She also stated that Sage Lane was named and paved as a cul-de-sac but would not be treated as such if it connected into Ivy Ridge. Mrs. Tracy Smith of Sage Lane expressed her concerns about the traffic and safety on Sage Lane. She commented that it was not easily accessible for safety crews and urged that the connection into Ivy Ridge be denied. Cord Hall of Sage Lane expressed his concerns for the safety of children and families of Sage Lane and urged Council to consider those families and requested finality soon. Councilman Showalter requested a PDF of deeds from Mr. Semones and Mr. Robert Fralin's deed attorney David

Bullington. Megan Dorsett of Cambria Street commented on how she opposed cul-de-sac developments and commented that the town has an imbalanced housing market due to such developments. Chris Penny of Tula Circle expressed his opposition to the proposed right of way, questioning the location compared to his property line. Stuart Meese of Wistaria Drive spoke in favor of these types of developments and thanked the town and the developers for the lower housing costs and young family oriented lifestyles. He went on to say how these types of developments increase tax money and jobs. Glen Wells, Tula Circle, concerned of proximity to his back yard. Requesting that a barrier be installed to block road from his back yard. Tina Keesee, Sage Lane, states how life changing this connection to Ivy Ridge would be for her neighborhood. Danielle Lusk, New River Drive, shared the concerns of previous speakers and wanted the connectivity to New River Drive to be addressed. Mr. Semones responded that there was no connection on to Albert Lane. Mr. Robert Fralin commented that he was not the owner of the Shaeffer property to the north of his land and he had no intent to buy that property. Kenneth Close, Camellia Lane, remarked that traffic is much higher in that area than previously stated. He also spoke about the proffer that included a paved walkway for residence. He stated of issues the community was having with the storm drain systems. Larry Waddell, Sage Lane, in opposition of the access roads to these developments. Mr. Waddell urged council to consider all residences and let Ivy Ridge have its own entrance to Rt. 114. Mr. Waddell fears residents are at risk if connection is made into Ivy Ridge. Lori Albert, Albert Lane, referred to two of the five easements that Mr. Robert Fralin had purchased and claims she will legally object if property becomes "bootstrapped". Mr. Dexter Albert, Christiansburg, remarked that the two proposed entrances into New Village are too close. Mr. Albert expressed concerns of accessibility to his property, fears there is not adequate emergency access. Mr. Albert questioned Town Manager Terpenny about the Shaffer property. Town Manager Terpenny answered that if it is approved with proffers and Mr. Robert Fralin wants to change the proffer, then it will go back to Public Hearing. Vicky Irby, Tula Circle, expressed her concerns that the right of way proposed is 50 feet. Mr. Semones responded that they would stay within the 50 feet. Ms. Irby questioned the position of the power line tower located in that area. Mr. Semones answered that they would have to check into that. Ms. Irby commented that she is also concerned about the traffic and requests a fence for safety. Mr. Cord Hall, Sage Lane, expressed his concern about the high traffic volume in that area and stated that there is approximately 2.6 trips per day per home in that neighborhood. Melissa Albert, Christiansburg, questioned the curve and area reserved for future right of way.

REGULAR MEETING

VICE-MAYOR ANN H. CARTER called the Regular Meeting of Council to order and asked if there were any additions or corrections to the Minutes of July 6, 2010. Vice-Mayor Ann H. Carter requested the minutes be amended to show that Assistant Town Manager Barry Helms was appointed to Interim Town manager effective August 1, 2010. Councilman Showalter requested that section #5 under DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS be amended to reflect that he also remarked that if Town Administration does not cut back and we do not increase revenue then the town will use the reserves and once the reserves are gone then the Town would be forced to cut jobs. Councilman Barber made a motion to approve the minutes with amendments as requested, seconded by Councilman Showalter. Council voted on the motion as follows: AYES: Barber, Wade, Showalter, Vanhoozier, Wade. NAYS: None.

CITIZEN HEARINGS:

1. Planning Commission's recommendation on:
 - a. A Conditional Use Permit request by Steven W. and Danette G Poole for property at 150 Stafford Drive (tax parcel 435 – ((A)) – 5A for a family day home serving six through twelve children in the R-1 Single-Family Residential District. Chairperson Craig Moore read the Planning Commission's resolution recommending Town Council issue the CUP with four (4) conditions. A copy of the resolution and 4 conditions is attached herewith. Planning Commission vote is as follows: 5 ayes; 0 nays; 1 absent.
2. Mr. John Neel – Update on the Huckleberry Trail Project. Mr. Neel presented a slide show of general information about the trail, its current progress, the timeline, proposed schedule, budget estimate and gave an update on The Knowles Bridge. The Phase 1A is still under construction. The trail from the Blacksburg Library ending at the NRV Mall is complete. The Christiansburg extension from the NRV Mall to the Christiansburg Recreation Center is 2 miles. Phase 1B will be the Knowles Bridge which crosses over Rt. 114. Phase 2 A extends the trail behind Wal-Mart Supercenter. Phase 2 B connects from Wal-mart to Cambria Street. The key point in that phase is to get over the railroad trestle. The Weir Bridge will be set July 21, 2010. The estimated completion date was fall of 2011, with the final connections going from behind the New River Valley Mall, across 114 to behind Wal-mart ending at the Christiansburg Recreation Center. Budget estimated at 2.4 million dollars with 2.45 existing and projected funding. Mr. Neel also commended Regal Cinemas for adjusting their

parking lot to help the construction of the trail. Plans to apply for more Transportation Enhancements Act Funds this fall. Phase 1 A is projected to be completed by fall of 2010. The Knowles Bridge, Phase 2 and 3, is expected to be completed by summer 2011. However, VDOT approval must be acquired before construction of that phase and their review process may take a while. Mr. Neel wanted to thank the following list of contributors, stating without their efforts, this could not be possible: Friends of the Huckleberry, Town of Christiansburg, Montgomery County, New River Valley Mall, Regal Cinemas, Villas of Peppers Ferry and Sisson & Ryan Quarry. Vice-Mayor Carter commented what a great project it is and excitedly awaits its completion. There were no further comments or questions.

3. Ms. Rebecca Martin – Update on Christiansburg Bus System. Due to an unexpected family emergency, Ms. Martin could not attend. Ms. Martin to report next council meeting on August 3, 2010.
4. Citizen's Comments.
 - a. Mr. Dexter Albert of Christiansburg spoke tonight for his mother who resides on Orchard Street. Mr. Albert expressed ongoing concerns about water pressure in and around Orchard Street. He stated that this issue has been going on since the 1970's and had been told by current and past Town Managers that there were funds to correct this issue. Town Manager Terpenny responded that he was unaware of those funds. Mr. Albert also stated that there sidewalks promised as well. Councilman Barber questioned if his mother's house was located in the area of the proposed sewer project included in the 2011-2012 Budget. Town Manager Terpenny replied that it was a sewer project, not water repairs. Councilman Vanhoozier then requested that the Town check into this matter and evaluate the situation. Town Manager Terpenny agreed.
 - b. Mr. Kevin Stoner of Dogwood Lane indicated that this was Mr. Terpenny's last council meeting as Town Manager. He commended Mr. Terpenny on his performance over the years and thanked him for his service. Mr. Stoner continued stating that he was unhappy with the current personal attacks that Mr. Terpenny had withstood and is asking his community to be more civil. Mr. Stoner also urged Council to raise Real Estate taxes to help decrease the deficit in the budget.
 - c. Mr. Bob Poff of Christiansburg thanked Mr. Terpenny for his service and stated that he is praying for more civility in the town.
 - d. Mr. Wayne Booth of Christiansburg thanked Mr. Terpenny for his service and listed Mr. Terpenny's accomplishments as Town Manager.
 - e. Mr. Roger McCauley of Woodenshoe Court questioned council regarding Mr. Terpenny's previously proposed contract and the severance package offered to Mr. Terpenny. He asked Council to disclose the information discussed in closed meetings so that voters will know how to vote in the future.
 - f. Mrs. Elizabeth McCauley of Woodenshoe Court requested from council an explanation as to how they came to agree on Mr. Terpenny's severance package.
 - g. Ms. Carol Linstrom, Depot Street, questioned Council if the circumstances and decisions made regarding Town Manager Terpenny departure was within the legal limits of Virginia State Codes. Ms. Lindstrom requested Council explain their decisions in the resignation and severance package for Town Manager Terpenny.
 - h. Mr. Cord Hall of Sage Lane stated that he recently attended a Virginia Municipal League meeting in Richmond and wanted to share that there were many positive comments about the Christiansburg Wrestling Program and the upcoming Dixie League World Series. He commended the Recreation Department and expressed his passion and hope for Girls Softball in this area.
 - i. Ms. Lisa Lucas Gardner, Phlegar Street, questioned Council on their decision to give outgoing Town Manager Terpenny a severance package. Ms. Gardner pleaded with Council to not write the check to Mr. Terpenny for this severance package.
 - j. Mr. Lonnie Simmons, Ruby Court, questioned Council of the benefits package for employees. He also questioned Council if they have the authority to give Town Manager Terpenny a severance package, on top of the benefits package given to all other employees of the Town.

- k. Ms. Virginia Hardy, Christiansburg, stated that she had previously participated in student town council and wanted to become more involved as she did not see many other citizens her age involved in council meetings.
- l. Mr. Roger Woody of Christiansburg, thanked Mr. Cord Hall for mentioning the Recreation Department's accomplishments and recognizing the athletes. Mr. Woody commented that he felt the low-housing costs in Christiansburg were beneficial to the town.
- m. Ms. Terry Carter, Woodenshoe Court, spoke about her concerns regarding the circumstances surrounding the request for resignation the Council made for Town Manager Terpenny and felt that there were inconsistencies in the timeline of Mr. Terpenny's job offer from the Town of Floyd.
- n. Ms. Carmen Hammock, Christiansburg, requested council give the Town and explanation for the money given to outgoing Town Manager Terpenny.

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

- 1. Council action on:
 - a. Conditional Use Permit request by Steven W. and Danette G Poole for property at 150 Stafford Drive (tax parcel 435 – ((A)) – 5A for a family day serving six through twelve children in the R-1 Single-Family Residential District. Councilman Vanhoozier made a motion to approve the Conditional Use Permit with four (4) conditions. Councilman Barber seconded the motion. Council voted on the motion as follows: AYES: Barber, Showalter, Vanhoozier, Wade. NAYS: None.
 - b. Fiscal Year 2010-2011 Budget Cuts. Councilman Wade made a motion to table this discussion until next Council meeting on August 3, 2010 due to Councilman Stipes and Mayor Ballengee being absent. Councilman Showalter seconded the motion. Council voted on the motion as follows: AYES: Barber, Showalter, Vanhoozier, Wade. NAYS: None.
 - c. Appointed Mr. Scott Weaver to the New River Valley Agency on Aging. Councilman Wade made a motion to approve. Seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Showalter, Vanhoozier, Wade. NAYS: None.
 - d. Appointment to the Parks and Recreation Advisory Commission, Student Representative. Councilman Barber motioned to approve Ms. Morgan Fenton to the Parks & Recreation Advisory Commission stating that she had been a contributing and attending member, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Showalter, Vanhoozier, Wade. NAYS: None.
- 2. Councilman Stipes and Councilman Vanhoozier – Street Committee Report:
 - a. Councilman Vanhoozier requested this report be held at the next council meeting on August 3, 2010 since Councilman Stipes was absent. Councilman Wade motioned the request, seconded by Councilman Showalter. AYES: Barber, Showalter, Vanhoozier, Wade. NAYS: None.

TOWN MANAGER REPORTS:

PROGRESS REPORTS – TOWN MANAGER TERPENNY requested Council approve to close a portion of Main Street for the annual Cruise In 5K Run on July 24, 2010, adding that the Police Department was in collaboration with the promoters to close the street. Councilman Vanhoozier made a motion to approve the closing of Main Street for the upcoming 5K Run, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Showalter, Vanhoozier, Wade. NAYS: None.

TOWN MANAGER TERPENNY reported that Assistant Town Manager Barry Helms, as acting Interim Town Manager, needed to complete the appropriate forms to be the Company Officer for the Town Credit Card. Councilman Barber made the motion to approve Mr. Barry Helms as company officer, seconded by Councilman Showalter. Council voted on the motion as follows: AYES: Barber, Showalter, Vanhoozier, Wade. NAYS: None.

TOWN MANAGER TERPENNY reported that the Commonwealth of Transportation Revenue Sharing Program verbally approved \$446,498 of the one million dollars requested. Town Manager Terpenny stated that the Knowles Estate Executor Mr. Simmons, needed to know the exact amount of the proposed budget for the Huckleberry Trail, not

to exceed \$275,000. Motion made by Councilman Vanhoosier to authorize Mr. Simmons to use up to \$275,000 for design of the trail from Rt. 114 to the Recreation Center, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Showalter, Vanhoozier, Wade. NAYS: None.

COUNCILMAN VANHOOZIER commented on the Grand Opening Celebration of the Aquatic Center and urged the community to visit the Aquatic Center, adding what major asset the center is to the Town.

COUNCILMAN SHOWLATER agreed with Councilman Vanhoozier and requested that Rebecca Hawke, Public Relations Officer for the Town, coordinate more with the Aquatic Center Director, Terry Caldwell, to increase the amount of press releases regarding events at the Aquatic Center.

VICE-MAYOR ANN H. CARTER AND COUNCIL thanked Town Manager Terpenny for his many years of service.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 10:25 P.M.

Amber S. Beasley, Temporary Clerk of Council

Ann H. Carter, Vice-Mayor