

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

COUNCIL MEMBERS PRESENT: Mayor Richard G. Ballengee; D. Michael Barber; Cord Hall; Steve Huppert; D. Henry Showalter; Bradford J. Stipes; James W. Vanhoozier. ABSENT: None.

ADMINISTRATION PRESENT: Interim Town Manager Barry Helms; Town Clerk Michele M. Stipes; Town Attorney Kai Memmer; Planning Director Randy Wingfield; Town Planner Nichole Hair; Finance Director/Treasurer Val Tweedie; Director of Engineering and Public Works Wayne Nelson; Assistant to the Town Manager Adam Carpenetti; Human Resource Director Clay McCoy; Aquatics Director Terry Caldwell.

PLANNING COMMISSIONERS PRESENT: Chairman Craig Moore; Barry Akers; Mark Caldwell; Ann H. Carter; Kevin Conner; Meghan Dorsett; Joe Powers. ABSENT: None.

PLEDGE OF ALLEGIANCE.

JOINT PUBLIC HEARING

1. A request by Cellco Partnership dba Verizon Wireless to amend Chapter 30 "Zoning" of the Christiansburg Town Code in regards to provisions for telecommunications structures. Mr. Jim Callen, on behalf of Verizon Wireless, provided Council with an information packet and explained that the company has requested a Conditional Use Permit that would allow the installation of a new wireless communication facility on the north side of the New River Valley Mall on property owned by PR Financing Limited Partnership. The proposed facility includes a 120' monopole with Verizon Wireless antennas mounted at a centerline height of 120' above ground level, and a 5' lightning rod mounted on top of the monopole which will reach overall height of 125'. The monopole, shelter, generator, and other necessary utility connections will be enclosed by a security fence, which includes a tree buffer, adjacent to the northeast side of the existing mall building north of and adjacent to the existing service court. Mr. Callen reported that the StellarOne building was considered as a location site and was found not to meet height requirements. The Corning site was also considered as a placement site and was found to be favorable, but after two years of negotiations, Corning and Verizon Wireless could not agree upon mutually acceptable terms of contract. Mr. Callen reported that the owners of the New River Valley Mall property support the proposed placement of the monopole and Verizon Wireless has requested letters of support from the New River Valley Mall and New River Community College, which he expects are forthcoming. Mr. Callen offered Council a rendering of the monopole location as proposed, noting the request is consistent with the Christiansburg Comprehensive Plan, further noting that this location will help ensure the availability of high quality cellular and data service in the Town's primary business and traffic corridor. The monopole will allow for the addition of three other service providers, with a reserved spot for Christiansburg emergency services. Councilman Stipes commented on the unsightliness of the monopole as depicted in the rendering, specifically the array at the top of the pole. Mr. Callen explained that Verizon Wireless uses a modified flush mount because it provides separation of services and allows Verizon Wireless to offer numerous services to its customers. Councilman Barber asked if the owners of the New River Valley Mall are satisfied with the design of the monopole and the potential for further leasees. Mr. Callen said the mall owners are in acceptance of all aspects of the monopole. Council and Planning Commission further discussed the request specific to necessary height of the monopole for optimum service coverage, which included a discussion from the Planning Commission on a comparison of a 65' pole (on a 40' building) versus a 125' pole (placed at ground level). Planning Commission Dorsett asked that Verizon provide a propagation map for a pole at 65' on a 40' building, which Mr. Callen agreed to provide. Councilman Showalter asked if the Town had a need for the space reserved on the monopole for emergency services. Interim Town Manager said the Town anticipates a need for this service in the future, especially with the future development of a new Fire Department on Route 114. Interim Town Manager Helms reported that correspondence was received via e-mail from Mr. Steve Sandy, on behalf of Montgomery County, supporting this request if it meets a documented need and complies with the "Regional Approach to Telecommunications Towers Policy".

2. Contingent on Item 1, a Conditional Use Permit request by PR Financing Limited Partnership for a 125' communications monopole at 100 New River Road (tax parcel 435 – ((A)) – 41) in the B-3 General Business District. See above discussion.
3. A Conditional Use Permit request by Dan Steinberg (acting as agent for property owners Loy D. and Mary E. Burch) for manufacture and assembly of smoking pipes and accessories at 3145 N. Franklin Street (tax parcels 406 – ((4)) – 22 and 23) in the B-3 General Business District. Mr. Steinberg reported that his business is located in a strip mall across from Corning and all business will be done by mail. Mr. Steinberg offered to answer any questions. Mayor Ballengee asked if the Town had received any correspondence in regard to this request. Interim Town Manager Helms reported that there has been no correspondence received regarding this CUP request.
4. Council's intention to adopt an ordinance amending Chapter 26 "Subdivisions" and Chapter 30 "Zoning" of the Christiansburg Town Code in regards to adoption of Virginia Department of Transportation Secondary Street Acceptance Requirements and pedestrian accommodation, street sections, and parking requirements. Planning Director Randy Wingfield presented a slide show of examples of sidewalk and parking designs, and intersections that were built using the VDOT guidelines under consideration by Council. Interim Town Manager Helms reported that the slide show was offered in response to concerns that the guidelines would negatively impact maneuverability of emergency vehicles, specifically fire trucks due to their size. Council has discussed this proposed ordinance amendment at length during recent Council meetings and at a called Special Meeting.

REGULAR MEETING

MAYOR BALLENGEE called the Regular Meeting of Council to order and asked if there were any additions or corrections to the Regular Meeting Minutes of November 16, 2010. There being none, Councilman Vanhoozier made a motion to approve the Minutes as presented seconded by Councilman Showalter. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

CITIZEN HEARINGS:

1. Planning Commission recommendation on:
 - a. A rezoning request by Douglas Wayne Sink for property at 2845 Roanoke Street (tax parcel 501 – ((A)) – 15) from A Agricultural to B-3 General Business. The property contains 0.502 acres and is scheduled as MU-1 Mixed Use: Residential - Limited Business in the Future Land Use Map of the Christiansburg Comprehensive Plan. Chairperson Moore read the Planning Commission resolution recommending Town Council deny the rezoning request and proffers. Planning Commission vote: Ayes – 7; Nays – 0; Absent – 1.
 - b. A rezoning request by Douglas Wayne Sink for property located on the western side of Jones Street, S.E. (tax parcel 558 – ((9)) – 4A) from A Agricultural to R-1 Single-Family Residential. The property contains 2.43 acres and is scheduled as Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. Chairperson Moore read the Planning Commission resolution recommending Town Council approve the rezoning as requested. Planning Commission vote: Ayes – 7; Nays – 0; Absent – 1. A copy of the resolution is attached herewith.
 - c. A Conditional Use Permit request by Tech Sports Plex, LLC (acting as agent for property owners Loy and Mary Burch) for a private recreational facility at 215 County Drive (tax parcel 406 – ((4)) – 115) in the B-3 General Business District. Chairperson Moore read the Planning Commission resolution recommending Town Council approve the Conditional Use Permit request with two conditions. Planning Commission vote: Ayes – 7; Nays – 0; Absent – 1. A copy of the resolution and conditions is attached herewith.
2. Aquatic Center Update by Aquatics Director Terry Caldwell. Ms. Terry Caldwell, Aquatics Director, introduced to Council Mr. Shawn Worley, Aquatics Coordinator, who has been instrumental in the successful planning of activities at the Aquatic Center. Ms. Caldwell shared with Council a powerpoint presentation updating them on the progress of the facility since opening day in July, 2010, including the Mission and Vision Statement of the center. The Aquatic Center currently employs twelve full-time employees and sixty-four part-time employees to cover the ninety-five operating hours per week. Membership is currently at 1,238, and daily visits since July total 18,627. Ms. Caldwell reported that the Christiansburg Aquatic Center is one of only three ACC facilities in Virginia with diving towers and is in demand for diving tournaments and swim meets. The most recent youth swim meet saw six hundred seventy-one entries and the high school invitational will be held at the Aquatic Center next week. Ms. Caldwell provided Council with a schedule of the swim and dive meets scheduled for the current swim season, noting that Virginia Tech has attributed the Aquatic Center to its recent high quality

swim and diving recruits. According to Ms. Caldwell, the swim and dive meets have had significant impact on area businesses, particularly nearby Kroger and CVS, both of which have requested a swim/diving meet schedule so they can be prepared to meet the extra demand; local restaurants have begun to offer promotional items and discounts that will appeal to swim families. Ms. Caldwell reviewed with Council the numerous exercise, fitness, educational, and entertaining programs offered at the Aquatic Center, including the 135 birthday parties held at the facility since July. Ms. Caldwell said she has received many positive comments from users of the facility and she shared several letters of support with Council. Ms. Caldwell thanked the Aquatic Center Advisory Board for its support and willingness to raise funding for Christmas decorations for the facility. Councilman Stipes raised the question of closing the leisure pool during swim meets and Ms. Caldwell explained that every effort is made to keep the leisure pool open during normal hours of operation and that there has only been two times that the leisure pool was closed for specific hours during a swim meet. Those two closings were due to high swim meet participation that resulted in limited parking availability. Ms. Caldwell reported that BT is working in coordination with the Aquatic Center to provide a bus shuttle for overflow parking from the high school to the Aquatic Center. Ms. Caldwell said that she is now focusing her attention towards marketing the facility. Councilman Showalter thanked Ms. Caldwell for her report and stated his support for the facility and his appreciation for the efforts of the aquatics staff to make the facility a success. Councilman Showalter said the facility has a ripple effect on local businesses and he is glad to hear that marketing efforts are beginning. He asked Ms. Caldwell to provide an update report every six months. Councilman Vanhoozier noted that up-to-date information on the Aquatic Center can be tracked on the Town's website. Councilman Hall echoed Councilman Showalter's comments, emphasizing his appreciation for the helpful personalities of the aquatics staff members. Councilman Hall said he is especially impressed by Assistant Facility Coordinator Scott Bennett. Councilman Hall said he initially questioned if a facility of this magnitude could be a success in Christiansburg and he is glad he is being proven wrong. Councilman Hall said the operations at the Aquatic Center are like a "well oiled machine".

3. Citizens' Comments.

- a. Ms. Ann H. Carter of Highview Street addressed Council regarding a former member of the Rescue Squad, but began by thanking Council for the recent installation of audio facilities in the Council Chambers. Ms. Carter said that she served as liaison to the Rescue Squad for many years and she asked Council to consider recognizing former volunteer Debbie Trump Akers who was awarded the 2010 Governor's EMS Award for Outstanding Contribution to EMS by an Educator. Ms. Akers, whose husband, son, and father were members of the Rescue Squad, resigned from the Squad because of family health issues ten days before she was eligible for life membership status. Ms. Carter thanked all the Rescue Squad volunteers for their service, and thanked the Town for considering her request. Mayor Ballengee said he recently became aware of the award presented to Ms. Akers and Council will present her with a Resolution of Recognition at a future meeting.

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. Town Council action on:

- a. A rezoning request by Douglas Wayne Sink for property at 2845 Roanoke Street (tax parcel 501 – ((A)) – 15) from A Agricultural to B-3 General Business. The property contains 0.502 acres and is scheduled as MU-1 Mixed Use: Residential - Limited Business in the Future Land Use Map of the Christiansburg Comprehensive Plan. Councilman Vanhoozier made a motion to accept the Planning Commission's recommendation to deny the rezoning request. Councilman Barber seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
- b. A rezoning request by Douglas Wayne Sink for property located on the western side of Jones Street, S.E. (tax parcel 558 – ((9)) – 4A) from A Agricultural to R-1 Single-Family Residential. The property contains 2.43 acres and is scheduled as Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. Councilman Barber made a motion to accept the Planning Commission's recommendation to approve the rezoning as request, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
- c. A Conditional Use Permit request by Tech Sports Plex, LLC (acting as agent for property owners Loy and Mary Burch) for a private recreational facility at 215 County Drive (tax parcel 406 – ((4)) – 115) in the B-3 General Business District. Councilman Hall made a motion to accept the Planning Commission's recommendation to issue the CUP with two conditions. Councilman Stipes seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
- d. A Zoning Permit request by Rick Howell (acting as agent for property owners Phillip M., Donna F. and John R. Hambrick) for a commercial garage and towing service at 850 Park Street (tax parcel 498 – ((6)) – 3A) in the I-2

General Industrial District. Interim Town Manager Helms presented the zoning permit application and eleven conditions set forth for this request. Interim Town Manager Helms reported that the conditions are consistent with conditions set forth for similar type businesses, further noting that this business is allowable in the I-2 General Industrial District, but because of the nature and location of the business he felt Council should review the matter. The property is not visible from Park Street, and Mr. Howell said there is adequate parking surrounded by a chain-link fence. The business will be for repairs and no junk vehicles will be stored on the property. Interim Town Manager Helms reminded Council that the Zoning Permit can be revoked for non-compliance. Councilman Vanhoozier made a motion to issue the Zoning Permit and conditions, with the addition of one condition that provides for a one year review for compliance. Councilman Hall seconded the motion and Town Clerk Stipes polled Council as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.

2. Annual Audit for Fiscal Year Ended June 30, 2010 – Presented by Auditor Mr. Shane Lavender. Mr. Lavender introduced Mr. Todd Massey who was responsible for the oversight and completion of the annual audit. Mr. Lavender then presented to Council the annual audit for the Fiscal Year ended June 30, 2010, reporting that internal controls were tested and found to be adequate and in compliance with all necessary accounting/auditing guidelines. No fraud was found and the audit is considered clean. Mr. Lavender commended Council on its decision to hire Finance Director/Treasurer Valerie Tweedie. Mr. Lavender said Ms. Tweedie has a deep understanding of her role as Finance Director and understands accounting regulations. Mr. Lavender expressed his support of Council's decision to hire consultants to assist in the budget process, and challenged Council to view the budget process as a method of growing. Mr. Lavender noted the Aquatic Center, Harkrader Sports Complex, and the Dixie World Series as signs of growth and great promotion for the Town. Former Town Manager Terpenny, Interim Town Manager Helms, and Finance Director/Treasurer Tweedie were involved in the audit discussions for the Fiscal Year 2009 – 2010. Mr. Lavender thanked Council for the opportunity to serve the Town. Mayor Ballengee thanked Mr. Lavender for his service to the Town.
3. Community Housing Partners loan request (carryover from November 16, 2010) - Councilman Barber. Councilman Barber made a motion to table this request to allow additional time to meet with the Town Attorney before making a recommendation. Councilman Barber said he spoke with Mr. Jeff Reed about an additional delay and Mr. Reed assured him the additional time will not negatively impact the loan request. Councilman Showalter seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
4. Tourism Agreement – Councilman Showalter. Councilman Showalter recommended tabling this request to allow time to review recently received recommendations.
5. Appointment of the Town's representative to the Montgomery Regional Economic Development Commission for a three year term starting January 1, 2011. Current Representative is Mr. John Overton. Councilman Vanhoozier made a motion to reappoint Mr. John Overton to serve another term on the Montgomery Regional Economic Development Commission, seconded by Councilman Stipes. Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. Mr. Overton's term will expire December 31, 2014.
6. Four Appointments to the Recreation Advisory Board. In support of Council's decision to increase the number of members serving on the Recreation Advisory Board, Councilman Barber made a motion to appoint Diane Fenton, Tonya Winn, Mike Harris, and Sam Moore to serve four year terms on the Recreation Advisory Board. Staggering of the terms will be determined at a later date. It was noted that Kevin Stoner resigned from his position on the Recreation Advisory Board. Councilman Hall seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. Councilman Hall recommended that Council consider adding to the by-laws language that will allow for the removal of members who fail to meet attendance guidelines. Councilman Showalter suggested that individuals interested in serving on a committee, authority, or board established by the Town be required to attend at least one Council meeting prior to an appointment.
7. Farmer's Market – Councilman Huppert. Councilman Huppert presented to Council his proposal for a Christiansburg Farmer's Market. The market would be held each Saturday from 8:00 a.m. to 1:00 p.m. from May 1 through October 31; the location of which to be determined. A coordinator would be chosen by the Town to work as a self-employed individual with some financial support from the Town. The coordinator would collect fees of \$10 per week from vendors. Councilman Huppert suggested the coordinator receive \$1,000 from the Town for salary and expenses, such as advertising, banners, promotions, from January to May. Funds would be taken from the tourism account. Farmers, artists, and independent businesses would have an opportunity to use the farmer's market. Possible locations include the Montgomery Museum property, and the former Reed Lumber site. Interim Town Manager Helms reported that property zoned B – 3 General Business and Industrial zoning allow farmer's markets, but it is important to adhere to a farmer's market description and not

branch out into a flea market. Councilman Huppert said he learned of this farmer's market model while at VML. Councilman Huppert said he included the idea of a farmer's market in both of his election campaigns and found there was much support for a farmer's market within the community. Councilman Hall said he realized the same thing during his election campaign. Council agreed that there is community support for a farmer's market and Council agreed to consider the private enterprise approach. Councilman Showalter commented that a committee could be created to oversee the coordinator. Councilman Huppert suggested scheduling a meeting with the Central Business Committee to create a plan and consider a coordinator.

8. Three reappointments to the Aquatic Center Advisory Board. The new terms will expire Dec. 31 2014. Jeremy Williams, Shirley Hallock, and Karen Drake are the current Representatives. Councilman Vanhoozier made a motion to reappoint Karen Drake, Jeremy Williams, and Shirley Hallock to serve another four year term on the Aquatic Center Advisory Board. Councilman Stipes seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
9. Appointment of Christiansburg's representative and alternate to the New River Valley Emergency Communication Regional Authority. The appointee will assist in the formation of the Authority and the search for an Executive Director. Barry Helms is currently serving on the workgroup. Councilman Vanhoozier made a motion to appoint Interim Town Manager Helms as representative to the New River Valley Emergency Communication Regional Authority, and to come back to Council with a recommendation for an alternate. Councilman Hall seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
10. Approval of Personnel Handbook. Council decided to schedule a work session in January to further review and discuss the updated Personnel Handbook. The work session will be scheduled at a later date.
11. Discussion and approval of Event Guidelines reflecting changes requested by Council at the November 2, 2010 meeting. Councilman Showalter made a motion to adopt the Event Guidelines as presented, seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. Councilman Showalter recognized Nichole Hair and Charleton McCoy for their efforts in the development of these guidelines.
12. Mr. Stipes and Mr. Vanhoozier - Street Committee report/recommendations on:
 - a. Subdivision for the Commonwealth Assisted Living of Wheatland Hills Christiansburg; creating 2 lots; located on Wheatland Court, N.E. Councilman Stipes reported that this request conforms to the Subdivision Ordinance and he made a motion to approve the subdivision as requested. Councilman Vanhoozier seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
 - b. Plat Showing Subdivision of Property for Gregory D. Duncan and Marvi D. Stine; creating 2 lots; located on Roanoke Street. Councilman Stipes reported that this request conforms to the Subdivision Ordinance and he made a motion to approve the subdivision as requested. Councilman Vanhoozier seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
 - c. Route 114 Improvement Project. Councilman Stipes reported that due to the actions of the MPO Director, Dan Brugh, the VDOT Salem District Staff, and Town Council, the Route 114 Improvement Project is now first in line to receive funding from the state, as reported earlier today by VDOT.

TOWN MANAGER REPORTS:

MONTHLY BILLS – On motion by Councilman Barber, seconded by Councilman Huppert, Council voted to approve the monthly bills to be paid on December 10, 2010, in the amount of \$1,162,493.22. AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. Councilman Showalter requested that the billing for HVAC for the Aquatic Center and the Fire Department be shown as two separate line items on the bill list.

INTERIM TOWN MANAGER HELMS brought a recommendation to Council on behalf of Public Relations Officer, Becky Wilburn, to purchase a $\frac{1}{4}$ page advertisement for \$800 in a magazine produced by the Chamber of Commerce and directed towards newcomers to the area. A full page advertisement is \$2,000. The advertisement would be designed by the Chamber of Commerce and funding would be drawn from the tourism fund. Council expressed an interest in purchasing a full page advertisement, but before approving, wants further information including details of the advertisement and the number of magazines to be printed. Interim Town Manager Helms will gather the requested information and forward it to Council.

COUNCILMAN VANHOOZIER made a motion to authorize Interim Town Manager Helms to begin the bidding process for the annual employee Christmas gift certificates given each year to full-time, salaried, and permanent, part-time employees, and to accept the lowest bid received. Councilman Stipes seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. The bid requests are sent to Christiansburg grocery stores. Council directed the amount of the gift certificates to be \$50.00 per certificate.

MAYOR BALLENGEE reminded Council that a work session is scheduled for December 14, 2010 at 4:00 P.M. at the Aquatic Center for the discussion of priority based budgeting.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 10:05 P.M.

Michele M. Stipes, Clerk of Council

Richard G. Ballengee, Mayor