

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF JANUARY 4, 2011 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 JANUARY 4, 2011 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Vice-Mayor D. Michael Barber; Cord Hall; Steve Huppert; D. Henry Showalter; James W. Vanhoozier. ABSENT: Mayor Richard G. Ballengee; Bradford J. Stipes.

ADMINISTRATION PRESENT: Interim Town Manager Barry Helms; Town Clerk Michele M. Stipes; Town Attorney Kai Memmer; Director of Engineering and Public Works Wayne Nelson; Assistant to the Town Manager Adam Carpenetti; Public Information Officer Becky Wilburn.

Vice-Mayor Barber announced there was a quorum of Council present and opened the meeting with the Pledge of Allegiance led by Councilman Hall.

**PUBLIC HEARING**

1. Town Council's intention to enter into an agreement with Branch Highways, Inc. under the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) for financing, designing, building, and providing post-construction monitoring for stream restoration of an unnamed tributary to Crab Creek in the Diamond Hills Park area from Independence Boulevard to Crab Creek, and for stormwater management of the contributing drainage area. Interim Town Manager Helms reported that a proposal had been received from Branch Highways, Inc. in October, 2010 for the above-mentioned project. The tributary in the Diamond Hills Park has become eroded and washes sediment into Crab Creek. The proposed restoration project will bring the tributary to a more natural state, which will help prevent pollution of Crab Creek. Branch Highways, Inc. is currently working in Wytheville on a project which will impact a stream and this proposed project will help mitigate that impact. Interim Town Manager Helms reported that this project would have minimal cost to town, unless the Town chooses to add to the project with additional restorations; Interim Town Manager Helms said this project would be beneficial to the Town. A Public Hearing is required by PPEA thirty days before the Town can enter into a contract for this project. Vice-Mayor Barber noted that this proposal was first brought to the attention of Town Council at its October 19, 2010 meeting. At that time, Town Council voted to accept the proposal and place a forty-five day advertisement for bids. No other bid proposals were received. Councilman Vanhoozier, noted the residential housing on both sides of stream and asked if the restoration will allow for recreational usage. Interim Town Manager Helms replied that the project will provide for a natural buffer and possibly walking trails, noting the property cannot be developed because of a perpetual easement on the land. Councilman Barber commented that it is his understanding that the town has the option to do sewer line upgrade at the same time. Interim Town Manager Helms confirmed that the Town could upgrade the old concrete sewer line to a larger plastic line. Mr. Steve Semones of Balzer and Associates, and Mr. Brian Wyman are working as the environmental team for the current project in Wytheville, and would work with Branch Highways, Inc. on the Crab Creek project. Mr. Semones said sections of the Diamond Hills Park tributary have been of concern in the past and he believes this is a great area to use the project funds. Mr. Semones said he is available to address any concerns of Council. Vice-Mayor Barber reminded Council members that they each received a booklet outlining the proposal at the December 21, 2010 meeting, calling attention to pages 15 through 17 and 25, which directly concern the Christiansburg project.

**REGULAR MEETING**

VICE-MAYOR BARBER called the Regular Meeting of Council to order and asked if there were any additions or corrections to the Regular Meeting Minutes of December 21, 2010. There being none, Councilman Vanhoozier made a motion to approve the Minutes as presented, seconded by Councilman Hall. Council voted on the motion as follows: AYES: Hall, Huppert, Showalter, Vanhoozier. NAYS: None.

CITIZEN HEARINGS:

1. Mr. Wayne Nelson, Director of Engineering and Public Works, to address Council regarding the snow removal process. Mr. Nelson provided Council with a copy of a portion of the Snow Removal Routes, Detailed Street by Street, as used by snow removal crews during snow removal operations. Mr. Nelson explained the large operation, including the preparation process. To prepare for an impending snow event, shift hours are modified for efficiency, salt is loaded, spreaders are installed, and plows and chains are prepared for use. Drivers are prepared for specific routes during the pre-event meeting. The weather service is also monitored. During the pre-event meeting, trucks to be used are inspected for safety, and materials to be used are discussed, which varies according to temperatures and weather conditions. Seventeen dump trucks, a motor grader, loaders, a tractor and bobcat are utilized as necessary by forty-two employees dedicated to daytime crews and thirty-one employees dedicated to night duty. Two mechanics are on duty each day and one at night. Mr. Nelson explained that the Town is divided into eleven sections, with 268 lane miles to clear of snow and ice, fifty-three of which are primary streets. The Town implemented a comprehensive snow removal program during last year's unusual winter, and Mr. Nelson said he wants to communicate to Council the system the Department has in place to handle winter storm situations, and he wants to address any concerns of Council. Mr. Nelson reported that the system in place was designed to cut down on overtime and excessive use of materials while effectively and timely removing snow and ice from Town streets. Along with snow removal from streets, the Public Works Department also pushes snow from the parking lots of Town Hall, Town Departments, and Sunset Cemetery. Mr. Nelson said the Town is communicating this information to the public via the Town's website and through the Public Information Officer Becky Wilburn. Mr. Nelson commented that, with this information, citizens are expressing relief at knowing their needs are going to be met in times of implement weather. Councilman Huppert asked if the Department was staying within its snow removal budget. Mr. Nelson replied that they have used a large amount of salt to date, but are effectively looking at ways to address the salt deficiency. Mr. Nelson said he will get expenditure numbers to him when they are available. Councilman Hall commented on the Town's quick response to snow removal during the surprise snow on Christmas Day. Councilman Showalter agreed, commenting that the snow removal crews made their job a priority on Christmas Day. Council thanked Mr. Nelson for his report.

2. Citizens' Comments.

- a. Katherine Sinclair of the Villas of Peppers Ferry expressed her concern with the monopole proposed by Verizon that would be placed at the New River Valley Mall. Ms. Sinclair's main concern is the possibility of additional traffic generated by placement of the tower in an already congested area. Ms. Sinclair said she understands the Town adhered to Town Code with respect to adjoining property owner notification in this request; however, she believes the Villas of Peppers Ferry is close enough to be given consideration. Ms. Sinclair noted that a railroad track is the only barrier between the New River Valley Mall property and the Villas of Peppers Ferry. Other concerns voiced by Ms. Sinclair are the measurement of emissions, and an unrealistic or incomplete rendering of the monopole.
- b. Paul Sinclair of Villas of Peppers Ferry and President of the Homeowner's Association said he learned of this request from Councilman Showalter on December 23, 2010. Mr. Sinclair said his first impression was that the neighborhood had been notified, but later realized they weren't. Mr. Sinclair said he was offended by the lack of consideration show by the Town, but was not overly concerned. However, upon further thought, Mr. Sinclair said he became concerned about the feelings of his neighbors. Mr. Sinclair asked why the monopole was proposed for this highly visible location, and were other locations considered.
- c. Roland Ebole of the Villas of Peppers Ferry voiced his concern about the intensity of the radiation from tower. Mr. Ebole said his wife is cancer survivor who is now fighting cancer again. Mr. Ebole asked if Council has any knowledge or information about this concern.
- d. Jerry Connelly of Villas of Peppers Ferry asked if a less conspicuous area had been considered, one that would have less impact on a residential area. Mr. Connelly said he believes placing a 120' tower so close to a residential neighborhood will compromise further residential development in this area and devalue existing neighborhoods. Mr. Connelly asked that Verizon considered a different location.
- e. Two other residents of the Villas of Peppers Ferry voiced concerns with the short notice given by the Town to respond to the request, especially since the monopole is proposed for a location visible to many residences. Both residents asked that the Town allow additional time for neighboring property owners to research the matter and bring concerns to Council.
- f. Mr. Jim Callen, representative for Verizon, commented that the first Conditional Use Permit application was filed with the Town in October 2010. A Public Hearing was held to hear community comments and address concerns.

At the time of the Public Hearing, additional time was allowed by Council for further public comment. Mr. Callen stated that this CUP request has not been rushed as mentioned by some. Mr. Callen pointed out that some of the questions raised were also heard during the Planning Commission meeting and conditions were set to cover some of the concerns. Mr. Callen talked about the need for this utility in this high density area, which includes the New River Valley Mall and New River Community College. Mr. Callen also noted the future need for Town emergency facilities in this area of Town. As previously discussed, Mr. Callen said that the New River Valley Mall location was not Verizon's first choice, but the only choice at this point. Mr. Callen said Verizon will mitigate negative impact with aesthetics through conditions set forth in the CUP and wording in the Ordinance amendment that requires all antennae to be flush mounted except the original antenna, with no more than three additional service providers. Regarding health impact concerns, Mr. Callen said that the FCC regulates matters impacting health and a condition has been set in the Conditional Use Permit that requires compliance with FCC regulations.

- g. Carol Lindstrom, Depot Street, commended and thanked Town crews for the quick response and repair of a water main break in Cambria last week.

#### DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

##### 1. Town Council action on:

- a. 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. Noting citizens' request for additional time, Councilman Stipes' absence, and the absence of an accurate rendering of the monopole as previously requested by Council, Councilman Huppert made a motion to table the request until January 18. Councilman Hall seconded the motion. Councilman Vanhoozier said he supports tabling the request, commenting that he was unaware that residents of nearby neighborhoods had not been notified of the request. Councilman Hall said the monopole is a drastic measure that needs consideration, and the Town needs to reevaluate the way it handles procedures. Vice-Mayor Barber commented that all were taken back when it was realized that residents of Villas of Peppers Ferry weren't notified of this request. By following procedures as done for years, the Town acted in good faith, but was not adequate in this case. Vice-Mayor Barber said the Town has learned a valuable lesson, and will be more alert to encompassing areas with future requests. Councilman Showalter suggested the agenda packet could include those who were notified of Conditional Use Permit requests and rezoning requests. Vice-Mayor Barber said it is easy to take for granted that a public announcement is seen widespread. Town Clerk Stipes polled Council on the motion as follows: Hall-Aye; Huppert – Aye; Showalter – Aye; Vanhoozier - Aye. Action is tabled until January 18, 2011.

##### 2. Mr. Barber and Mr. Huppert - Water, Sewer and Solid Waste Committee report/recommendation on:

- a. Water Purchase Agreement between the Town of Christiansburg and the Montgomery County Public Service Authority. The current agreement expires 17 January 2011. Councilman Hall made a motion to renew the Water Purchase Agreement, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Hall, Huppert, Showalter, Vanhoozier.
- b. The Waste Water Treatment Agreement between the Town of Christiansburg and the Montgomery County Public Service Authority. The current agreement expires 17 January 2011. Councilman Hall made a motion to renew the Waste Water Treatment Agreement, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Hall, Huppert, Showalter, Vanhoozier.

#### TOWN MANAGER REPORTS:

MONTHLY BILLS – On motion by Councilman Vanhoozier, seconded by Councilman Huppert, Council voted to approve the monthly bills to be paid on January 10, 2011, in the amount of \$1,048,583.32. AYES: Hall, Huppert, Showalter, Vanhoozier. NAYS: Showalter. Councilman Showalter said he voted Nay on the motion because concerns he had regarding expenditures by the Rescue Squad were not addressed by Rescue Squad Captain Kelly Walters. Councilman Showalter expressed concerns with funds spent by the Rescue Squad for jackets and other miscellaneous items. Regarding travel and school expenditures, Council agreed to require a brief description of those expenditures over \$6,000, and to footnote the appropriate department on the bill list.

INTERIM TOWN MANAGER HELMS reported that the Public Hearing set for January 18, 2010 for the vacation of a portion of Fairview Road has been withdrawn by the applicant.

INTERIM TOWN MANAGER HELMS, in response to questions posed by Ms. Tacy Newell at the December 21, 2010 Town Council meeting, reported that the Town is unable to enforce the Conditional Use Permit issued for a garage on Reading Road because work has not begun at this location. In response to questions about routine Conditional Use Permit enforcement by the Town, Interim Town Manager Helms reported that there are approximately four hundred and thirty currently active Conditional Use Permits, of which approximately three hundred and ten have set conditions. To monitor these permits on a regular basis would be time consuming for staff and is why permits are monitored on a complaint basis, unless monitoring is set as a condition in a Conditional Use Permit.

INTERIM TOWN MANAGER HELMS directed Council to the web link to the Hazardous Mitigation Plan. Interim Town Manager Helms asked Council to review the document and present any questions to him.

ADJOURN:

There being no further business to bring before Council, Councilman Vanhoozier made a motion to adjourn the meeting at 9:00 P.M., seconded by Councilman Hall. Council voted on the motion as follows: AYES: Hall, Huppert, Showalter, Vanhoozier. NAYS: None.

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor