

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF JANUARY 18, 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 18, 2011 AT 7:30 P.M.

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

ADMINISTRATION PRESENT: Interim Town Manager Barry Helms; Town Clerk Michele M. Stipes; Town Attorney Jim Guynn; Town Planner Nichole Hair; Assistant to the Town Manager Adam Carpenetti; Human Resource Director Clay McCoy.

PLANNING COMMISSIONERS PRESENT: Joe Powers. ABSENT: Chairman Craig Moore; Barry Akers; Mark Caldwell; Ann H. Carter; Kevin Conner; Meghan Dorsett.

MAYOR BALLENGEE announced there was a quorum of Council present and opened the meeting with the Pledge of Allegiance.

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 January 4, 2011 and the Work Session Minutes of January 11, 2011. Councilman Huppert noted that the name of the attorney representing Verizon during the January 4, 2011 meeting is misspelled. The correct spelling is "Cowan". Councilman Hall noted that Councilman Showalter's vote on the monthly bills during the January 4, 2011 meeting should be recorded as "Nay". Councilman Barber made a motion to approve the Minutes with the mentioned corrections, seconded by Councilman Hall. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

CITIZEN HEARINGS:

1. Mr. Wayne Mohammed to give an update on the Christiansburg Institute. Mayor Ballengee reported that this agenda item was postponed by Mr. Mohammed and will be rescheduled at a later date.
2. Captain Chris Ramsey of the Christiansburg Police Department to brief Council on the triathlon proposed by TriAdventure, Fitness in Action Triathlon, scheduled for June 26, 2011. This is a carryover item from December 21, 2010. Captain Chris Ramsey provided information to Council through a PowerPoint presentation, thanking Council for opportunity to provide information about the proposed triathlon, as well as background information of those organizing the event. Captain Ramsey said he is available to address questions of Council. Captain Ramsey reported that the proposed triathlon will comprise of a 400 meter swim, a twelve mile bicycle ride, and a 5K run. The event would be held June 26, 2011, beginning at 7:00 A.M. Captain Ramsey noted that Interim Town Manager Helms requested the event begin before 6:30 A.M. out of consideration of church traffic, but the concern is that it may still be dark at that early hour, and preliminary time estimates indicate that the event, if started at 7:00 A.M., should finish by 10:00 A.M. The event will commence with the 400 meter swim at the Christiansburg Aquatic Center and Captain Ramsey reviewed the planned route for the bicycle ride and 5K run, noting that all routes and intersections will be monitored by police officers and/or event staff, which will consist of twenty-one police officers and twenty staff members. The event is sponsored by TriAdventure Multisport Coaching and Fitness, which is a nonprofit organization in operation for fifteen years, and is USAT certified. In 2010, TriAdventure organized events that registered over sixty-four thousand athletes in ninety triathlon events in seven states. Captain Ramsey reviewed the preliminary strategy session to address the concerns of Council, including the safety of participants which includes closing public streets along the bicycle and 5K routes. The streets closed during the event will be from Depot Street to Main Street. Captain Ramsey addressed concerns of potential liability to the Town in the event of an accident or injury. Captain Ramsey said there is no way to guarantee no accidents, but the event will be tightly controlled to make accidents

unlikely. Captain Ramsey stressed the importance of public awareness to the success of the event, and said notice will be made through a media blitz through the Town's Public Information Officer, personal notice to homeowners and business owners through hand bills, and personal visits from event organizers. Notification signs of street closures will be posted before and during event, and notice will be given to all area churches twelve weeks prior to the event. Captain Ramsey then reviewed the pros and cons of disruption to the community because of closed streets versus the benefit to the community and local businesses, many of which are closed on Sunday mornings. Traffic will have access to businesses to the extent that it is possibly safe to do so. Benefits to the Town include restaurant, retail, and hotel revenue increase resulting from the expected five hundred to seven hundred participants, along with positive attention to Christiansburg and the Christiansburg Aquatic Center. Cost of payroll to staff the event will be paid for by the sponsor, and any additional costs will be funded by monies raised from participant entry fees and by the sponsor. Captain Ramsey said the actual cost to taxpayers for this event will be far lower than events such as Christiansburg Cruise-In events, town parades, and other town events. Captain Ramsey reported that overflow parking will be located at the Christiansburg High School and transportation to event provided by shuttle bus. The organizers will be responsible for organizing arrival and departure of participants. Registration fees for participants will be standard rate for events organized by TriAdventure. Mayor Ballengee and Council members commended Captain Ramsey for his presentation and thanked him for addressing their concerns. Councilman Showalter asked if there would be an insurance binder review during the planning process. Town Attorney Jim Guynn replied that he would thoroughly review the insurance binder.

3. Captain Kelly Walters, Christiansburg Volunteer Rescue Squad, to address Council with an overview of day to day operations, and to address questions from Council related to the Volunteer Rescue Squad. Captain Walters provided Council with a handout outlining the Rescue Squad budget and basic information about the Rescue Squad, including expenses associated with each volunteer member. Captain Walters began his presentation by showing Council one of the florescent emergency jackets required by VDOT for interstate work. These jackets are part of the volunteers' turnout gear and like all equipment and gear, remains with the Rescue Squad upon departure. Captain Walters stated that OSHA and VDOT guidelines are to be met by each member. Captain Walters reported that the Rescue Squad is made up of forty-seven EMT - Basic, four EMT - Enhanced, three EMT - Intermediate, and four EMT - Paramedic. Councilman Hall said he appreciates the expense breakdown and asked Captain Walters about the Rescue Squad discretionary fund. Captain Walters explained that a portion of the discretionary funds are in a building fund, approximately \$147,706. And the remaining funds, approximately \$472,999.00 is in various CD's in various banks. These funds are raised through fundraisers, benefactors, donations, and the ladies auxillary. Councilman Hall asked if extras such as tables, trophy cases, etc., could be purchased with funding from the discretionary fund. Captain Walters said those types of expenses are always taken from building maintenance funds, reporting that approximately \$100,000 of the Rescue Squad budget was unused by the Squad last year. Captain Walters reviewed the number of dwellings and people served in the district. Councilman Barber asked how many of the noted forty-seven basic members actually run calls for the Rescue Squad. Captain Walters responded that approximately thirty-three of the forty-seven members run calls. Honorary and Life members aren't required to run calls, but are encouraged too. Active members must run calls during the night shift from 6pm to 6am. No volunteer is required to run day calls from 6: A.M. to 6:00 P.M. Captain Walters explained that work is an issue for many of the volunteers, and that paid personnel, as opposed to volunteers, would solve many of the problems faced by the Squad. Captain Walters said many of the volunteers don't want to come to the Squad on weekends to wash and detail vehicles, and the Squad would benefit if a person is hired to wash and detail vehicles. Captain Walters said he has seen a decrease in membership over the years and several of the current members have come from the Junior Squad program. Responding to calls is done at the expense of the volunteer. Councilman Stipes noted that much of the service area is in Montgomery County. Captain Walters agreed and pointed out that the two nursing homes in the district keep the Squad busy. Councilman Hall asked if the Rescue Squad had any paid volunteers. Captain Walters replied that three weeks ago he began paying two volunteers monthly to work from 6:00 A.M. to 6:00 P.M.; this has helped get calls answered during the day and funds come out of his budget. Mayor Ballengee asked if the Rescue Squad has considered charging a fee for summoning a rescue call. Captain Walters said a meeting will be held next week to discuss this option, and he has met with Billy Ferguson of Franklin County to discuss the details of utilizing this type of policy. Billing would be sent to insurance companies and Medicare and the resulting fee would only be the amount covered by insurance or Medicare. Captain Walters said to his knowledge Blacksburg and Christiansburg are the only localities in the surrounding area that don't bill for service. Captain Walters said that typically two volunteers respond to daytime calls and three to four respond to night calls; the number of responders does not vary with the severity of the call. Captain Walters noted that the Rescue Squad meets on the first Monday of each month, and the Executive Committee meets the last Tuesday of each month. All are welcome to attend the meetings. Councilman Showalter said he appreciates the service of the volunteers and thanked Mr. Walters for the presentation. Councilman Showalter then asked Captain Walters about his certifications.

Captain Walters said he is an EMT - Basic, EVOC certified, CPR certified, vehicle extraction certified, and King Airway certified. Mayor Ballengee thanked Captain Walters for addressing the concerns of Council.

4. Citizens' Comments.

- a. Mr. Wayne Booth addressed Council on behalf of the residents of the Villas of Peppers Ferry, noting that the residents were here by number and by petition, a copy of which is attached herewith. Along with Mr. Booth, Mr. Doug Tice spoke on behalf of Cornerstone Homes, and Mr. Larry Sheffer spoke on behalf of the Halberstadt family, owners of property adjoining the proposed cell tower site. Each spoke in opposition to tower because of the high visibility to nearby residential neighborhoods and the unsightliness of the cell tower. Some voiced concerns that the renderings presented did not accurately depict the height of the tower. Mr. Sheffer noted that Ms. Halberstadt understands the necessity of this utility and only objects to the proposed height of the tower, which exceeds town requirements of a height no more than seventy feet.
- b. Deveron Milne, a resident of Montgomery County for more than twenty years, said the Rescue Squad teams consist of two teams per week: a week team and a weekend team. Mr. Milne reference a letter received from Human Resource Director, Clay McCoy, of January 2011. Mr. Milne noted several references from his letter pertaining to payment and benefits of volunteers as allowed by federal and state legislation. Mr. Milne recommended the Town develop an incentive program for volunteers. As a volunteer himself, he wants equality in compensation across the board, with clear delineation between paid staff and volunteer if it comes to this. Mr. Milne is an Honorary Member of the Rescue Squad and his wife is a Life Member; both continue to regularly run calls. Councilman Hall thanked Mr. Milne for his service to the community.
- c. Ms. Connie Turner, a resident of Alleghany Street, said she recently joined the Aquatic Center and is enjoying the facility. Ms. Turner suggested various ways for the Town to save money including turning Christmas lights in the downtown area off during the day, and eliminating envelopes in bill notices when payments are automatically deducted from an account. Ms. Turner also mentioned the affect snow removal is having on survey markings for the new sewer line along Alleghany Street. Interim Town Manager Helms said the lines she is referring to are made by Miss Utility and those markings must be made three days before digging begins.
- d. John Stevenson, a Christiansburg resident, said he lives in a small neighborhood built by Mr. Tom Poff off Roanoke Street. Mr. Stevenson spoke of the steep topography of the neighborhood that leads to stormwater run-off and standing water in yards, and the poor condition of the road, which is not maintained by the Town or VDOT. There are currently six homes in the neighborhood. Mr. Stevenson said his address is 3480 Roanoke Street, but his property is landlocked with no access to Roanoke Street, and his property can not be located by emergency services. Poor street lighting and maintenance is also a concern. Mr. Stevenson said he did not understand the seriousness of these issues when buying his home. Mr. Stevenson said the Town's Subdivision Ordinance calls for harmonious development in residential subdivisions. Mayor Ballengee asked if the Engineering Department has looked into these concerns. Interim Town Manager Helms said the subdivision was approved several years ago, and all have Roanoke street frontage. The street Mr. Stevenson is referencing is an access road behind the housing. Interim Town Manager Helms agreed that all the lots are steep. Councilman Hall asked if there were proffers for this development and if the sites were constructed in compliance with the approved site plan. Interim Town Manager Helms will find out if proffers were submitted, and commented that the site plan for lots would be water and sewer plans. Interim Town Manager Helms further noted that the road mentioned is a private road that is not governed by Town guidelines. The development was inspected by the Town as it was built and the area is not in a flood plain according to FEMA. Mayor Ballengee requested that the Town's Engineering Department look into the concerns voiced by Mr. Stevenson.
- e. Ms. Denise Dodd of Warren Street asked Council to consider allowing her to create a Community Garden and proposed Warren Street or Walters Drive as possible locations.
- f. Mr. Jim Cowan, attorney and representative for Verizon, addressed Council regarding concerns voiced in opposition to the proposed monopole. Mr. Cowan said the Town of Christiansburg has made significant effort to address to concerns of the community regarding the issue of the monopole location. Mr. Cowan said it appears the issue is the visibility of the monopole to those residing in the area. Mr. Cowan said in response to concerns, he has provided additional proffered conditions, and visual aids. The height, which was measured by a balloon, during which several Council members were present, was accurately depicted in the submitted renderings, noting that different angles will produce different views. To address the question of location, Mr. Cowan said choosing the best location was a balancing job considering the needs of New River Community College (NRCC) and

surrounding businesses. It has been determined that this utility has been a need for Verizon for close to two years. Mr. Cowan reinforced that the Corning site was Verizon's first choice, but was determined to not be a possibility. Many sites were considered but all indications pointed to the Mall site being the optimal second choice. Mr. Cowan said Verizon chose to place the monopole on side that receives heaviest commercial traffic. Mr. Cowan said he understands the concerns with visual impact but has worked to mitigate that through design and proffers. Mr. Cowan again reviewed the proffers submitted to Council. Councilman Huppert said he appreciates Mr. Cowan visiting with the residents of Villas of Peppers Ferry and asked if additional time would allow Verizon to find a more appropriate location. Mr. Cowan replied that Verizon has looked at all the possible locations in this area. Mr. Cowan said if Council wants less height, that can be done, but decreased height will impact the ability for other service providers to use the tower. Councilman Hall asked if an antenna could be placed on another tower in Town, if this is for data purposes, noting the existing tower near the Recreation Center. Mr. Cowan explained why this would not work because of the distance from the area to be serviced by the monopole. Councilman Hall asked if Verizon approached by NRCC as too a need for this utility. Mr. Cowan replied that NRCC, mall customers, and shop owners have expressed a need for this service. Mayor Ballengee thanked Mr. Cowan for his comments.

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. This action is a carryover from January 4, 2011, and was recommended by the Planning Commission and tabled twice. Councilman Hall made a motion to deny request, seconded by Councilman Showalter. Councilman Barber said he has seen advantages and disadvantages to this request and now it the time to take action. Councilman Vanhoozier agreed that there has been much discussion on the matter and now is the time to make a decision. Councilman Vanhoozier said, at the risk of damaging personal relationships, that he believes the monopole will provide a vital service and allowing it is the right thing to do for the community as a whole. Councilman Stipes said a utility such as this is a public need, and he has tried to decide the least worse solution. Councilman Stipes said by listening to comments made by Mr. Tice and area residents he is not comfortable that Council has identified the least worse solution. Councilman Hall noted that if the service is to be used for data, it will allow for the enticement of high tech companies in future, but it speaks volumes to him that residents have shown up to voice their concerns. Councilman Hall stated that Mr. Cowan has done due diligence, but like Councilman Stipes, he questions if this is the best location for the monopole, noting the low lying buildings in the area and the high visibility of the monopole. Councilman Hall said he would support a monopole in a less visible location. Councilman Hall noted that no businesses have voiced their support for the request, only resident opposition. Town Clerk Stipes polled Council on the motion to deny the request as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Nay. The request is denied.
2. Organizational Cooperative Agreement between Montgomery County and the Towns of Blacksburg and Christiansburg for the creation and implementation of a Joint Tourism Program - Councilman Showalter. Councilman Showalter asked to table the request explaining that three localities are working together on this, which has created some delays. Councilman Showalter said he hopes to bring the matter to Council at first Council meeting in February.
3. TriAdventure Fitness in Action Triathlon's request to conduct a triathlon on June 26, 2011. This will include closing several streets to traffic. Councilman Barber motion to approve the request, seconded by Councilman Hall. Councilman Showalter asked if approved, can the Town revoke its decision if the event permit is denied. Attorney Jim Gynn said the Town would have that authority. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
4. Blacksburg Transit Update by Councilman Vanhoozier. Councilman Vanhoozier provided Council with a handout, highlighting the information that varies from month to month. Councilman Vanhoozier reviewed monthly ridership, and provided a chart of ridership totals from November 2009 to December 2010, which is attached herewith, and reviewed the demographics of ridership. Councilman Vanhoozier announced that a commuter route from Christiansburg to Blacksburg began on January 3, 2011, and BT expects ridership to increase on this route as residents become aware it's available. Councilman Huppert said he considers the bus system a public taxi service and he does not support continued funding of the service. Councilman Hall asked if this was a matter that would be considered during the priority based budgeting process, and was told by Interim Town Manager that it would be included in that process.

5. Mr. Stipes and Mr. Vanhoozier – Street Committee report/recommendation 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 the previous subdivision plat approved by Council identical to this plat except that the previous plat included a ten foot public access easement along the Farmview Road frontage. Subsequent research has determined that Farmview Road already has fifty foot of public right-of-way due to a donation of land which negates the need for the right-of-way easement. Councilman Stipes reported that all is in order with the plat and he made a motion to approve the plat as presented. Councilman Vanhoozier seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
 - b. Plat showing Subdivision of Portion of Lot A, Harman Forest, Section I for Bernard F. Hagan and Louise P. Hagan; creating 2 lots; located on Harman Drive and Harkrader Street, N.W. Councilman Stipes reported that this request is to divide one lot into two. Road frontage requirements have been met, and Councilman Stipes made a motion to approve the plat, seconded by Councilman Vanhoozier. Councilman Vanhoozier noted the utility easements are defined on the plat as needed in the future. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

TOWN MANAGER REPORTS:

PUBLIC HEARING REQUEST(S) – Interim Town Manager Helms presented the following requests and recommended setting the Public Hearings for February 15, 2011:

1. Request for a private school in the B-3 General Business District, Central Avenue.
2. Conditional Use Permit request for a Planned Housing Development in the R-1 Single Family Residential District, for property located off Albert Lane and Sage Lane.

On motion by Councilman Barber, seconded by Councilman Vanhoozier, Council voted to set the Public Hearings for February 15, 2011. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

INTERIM TOWN MANAGER noted that Council received information in its agenda packet regarding a proposed community garden as mentioned earlier by Ms. Dobb. Town property would be involved and there has been interest from citizens in volunteering to maintain a community garden. Councilman Vanhoozier said he supports the idea but encouraged Council to first establish detailed guidelines for community gardens. Interim Town Manager Helms said he has discussed possible guidelines with Attorney Guynn. It is the consensus of Council to pursue the establishment of guidelines to be used in the development, maintenance and upkeep of community gardens, further noting that the Town would provide land for a community garden, but would have no further involvement in the development, maintenance, or upkeep of a community garden.

CLOSED MEETING:

1. Request for a Closed Meeting under Section 2.2-3711 A(1), *Code of Virginia*, for the discussion of personnel matters regarding the appointment of a Town Manager - Councilman Vanhoozier. Councilman Vanhoozier made a motion to enter into a Closed Meeting, seconded by Councilman Barber. Town Clerk Stipes polled Council as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
2. Reconvene in Open Meeting. Councilman Vanhoozier motion to reconvene in Open Meeting, seconded by Councilman Hall. Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier.
3. Certification. Councilman Stipes moved to certify that the Town Council of the Town of Christiansburg, meeting in Closed Meeting, to the best of each member's knowledge, discussed only the matters lawfully exempt from open meeting requirements by Virginia Law and only such matters as are identified in the Resolution to enter into Closed Meeting. Councilman Barber seconded the certification and Town Clerk Stipes polled Council as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
4. Council Action on the Matter. Council took no action on the matter.

NOTING THE TIME, COUNCILMAN VANHOOZIER made a motion to extend the meeting past 11:00 P.M., seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

ADJOURNMENT:

There being no further business to bring before Council, the meeting was adjourned at 11:04 P.M.

Michele M. Stipes, Clerk of Council

Richard G. Ballengee, Mayor