

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF APRIL 5, 2011 AT 7:30 P.M.**

A REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VA, ON APRIL 5, 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; Finance Director/Treasurer Val Tweedie; Assistant to the Town Manager Adam Carpenetti; Planning Director Randy Wingfield, Town Planner Nichole Hair.

PLANNING COMMISSION MEMBERS PRESENT: Chairperson Craig Moore; Barry Akers; Mark Caldwell, Ann H. Carter; Kevin Conner; Meghan Dorsett; Joe Powers; Jennifer Sowers. ABSENT: None.

PLEDGE OF ALLEGIANCE.

JOINT PUBLIC HEARING

1. Conditional Use Permit request for the Christiansburg Farmer's Market at 100 Radford Road, B-3 General Business zoning. Mayor presented request. Ms. Tacy Newell, a member of the steering committee for the Christiansburg Farmer's Market, discussed with Council the conditions set forth by the Planning Commission in the tentative CUP for the market. The Planning Commission noted that the conditions were revised earlier today and only recently distributed to Council. Ms. Newell explained she does not know the parking requirements for the farmer's market, at this time, because this is currently not defined in Town Code. Councilman Huppert noted that the owner of the adjacent Knights of Columbus property has been involved in the planning of the farmer's market and has offered his property for additional parking if needed. Ms. Newell offered a site map prepared by Balzer and Associates. Noting the hours of operation defined in the Conditional Use Permit, Ms. Newell requested that sales be permitted from sun up to sun down to allow flexibility for the vendors. Ms. Newell then explained the organizer's desire for live, acoustic guitar music, which would have no regular schedule and no amplification. Ms. Newell noted that several vendors were present and available to answer any questions of Council. Also present was the owner of Corrinne's, who has offered to advertise for the market, move inventory to provide approximately 4,000 square feet of vending and parking space, as well as clean-up of his site.

PUBLIC HEARING

1. Zoning Permit request by LAS Trucking and Construction, Inc. (agent for property owner Harmon Investments Co., LLC) for contractor equipment storage and an equipment garage at the end of Prospect Drive (tax parcel 500 – ((A)) – 5L) in the I-2 General Industrial District. Mr. John Neel of Gay and Neel, Inc., representing owners of LSA Trucking and Construction, Inc., Bruce and Lisa Altice, provided Council with a handout indicating the site plan that will be submitted if the zoning permit is approved. Mr. Neel explained that LAS Trucking employs fifty to sixty individuals, and operates on a contract basis. LAS Trucking contracts with VDOT for snow removal, the City of Salem for construction repair, and the State for various jobs, including interstate accident assistance. LAS Trucking is requesting a zoning permit that would allow it to relocate in the Christiansburg Industrial Park. The demonstrative site plan submitted to Council indicated that a large percentage of the site will be graveled and fenced for equipment storage. The drawing also indicates a main shop and small office. The current plans allow for future expansion. On behalf of the Altice's, Mr. Neel asked Council to issue the zoning permit so the business can move forward. Councilman Vanhoozier asked if the applicant had read the conditions of the zoning permit and if it is acceptable to the business owner. Mr. Altice, who was present, answered that he had read and accepts the conditions. Mayor Ballengee explained that the site in this request was previously sold to another company that

decided to locate somewhere else. Mr. Altice then purchased the lot. Mr. Altice said he started his business five years ago, and it has continued to grow even in the poor economy. Mr. Altice explained that LAS Trucking services fleet vehicles and often works on an emergency services basis. Councilman Barber expressed concern about the traffic flow on Roanoke Street, which is a concern that factored in the denial of a previous zoning request for the Christiansburg Industrial Park. Mr. Altice commented that his vehicles vary in size from pickup trucks to dump trucks, with an approximate twenty ton maximum. Trucks would leave early in the morning for job sites and would return at the end of the work day, thus limiting the amount of traffic through the Christiansburg Industrial Park during the work day. Ms. Carol Lindstrom, Depot Street, referred to Council's discussion during the Public Hearing for the zoning permit for a concrete company in October 2009. During that discussion, it was noted that one particular business in the Christiansburg Industrial Park stated it would be forced to move if the concrete plant was allowed because of the impact of dust and dirt on its sensitive machinery, and Ms. Lindstrom questioned the position of the business on this zoning permit request. Mr. Altice replied that ninety-five percent of his trucks will leave and enter the industrial park empty, and occasionally a dump truck loaded with gravel will be stored on site. Nothing will be manufactured on the site. Mayor Ballengee commented that this is the type of business that is encouraged for the Christiansburg Industrial Park and he is unaware of any complaints or concerns of other businesses in the park.

REGULAR MEETING

MAYOR BALLENGE called the Regular Meeting of Council to order and asked if there were any additions or corrections to the Regular Meeting Minutes of March 15, 2011. Councilman Hall requested that the Minutes be amended to reflect his request for additional financial information from Blacksburg Transit, specifically locality comparison charts supporting Ms. Martin's bus system update. Councilman Huppert requested that his comments regarding the opinion of the Principal of Belview, during Council's discussion regarding the Albert Land, L.P. Conditional Use Permit request, be stricken for confidentiality reasons. Councilman Barber made a motion to approve the Minutes as amended, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

CITIZEN HEARINGS:

1. Paula Alston with the Library to address Council. Ms. Paula Alston, Montgomery-Floyd Regional Library director, thanked Christiansburg for its donation to the library last year, and provided Council with an update on the progress of the library including book clubs, computers, and programs, including the informative Christiansburg 101 series. Ms. Alston also reported on recent, and anticipated, changes to the library including painting, the addition of e-books that can be downloaded onto most electronic books, organizational improvements, a new strategic plan, and an updated website. This spring, new interior signs, donated by Friends of the Library, will be installed. Ms. Alston will provide Council with a copy of the library's strategic plan once it is approved by the library board. According to Ms. Alston, the library is not expecting further budget cuts to state aid, but overall contributions are down approximately sixty percent and a hiring freeze is in place. Mayor Ballengee and Council thanked Ms. Alston for the update.
2. Mayor Ballengee called a recess to allow the Planning Commission to meet to discuss the Conditional Use Permit request for the Christiansburg Farmer's Market at 100 Radford Road. The meeting reconvened at 8:55 P.M.
3. Planning Commission recommendation on:
 - a. Conditional Use Permit request for the Christiansburg Farmer's Market at 100 Radford Road, B-3 General Business zoning. Planning Commission Chairperson Moore read the Planning Commission's resolution recommending Town Council issue the Conditional Use Permit with sixteen (16) conditions. Planning Commission vote was 8 ayes, 1 abstention. A copy of the CUP with conditions is attached herewith.
4. Citizens' Comments:
 - a. Mr. Frank Lau, Woodbine Drive in Blacksburg, addressed Council, and shared his opinions, as a former bus operator for Blacksburg Transit. Mr. Lau said he believes improvements could be made to several of the Christiansburg routes that would make routes more practical for riders, and that some of the route planning is not sensible. Mr. Lau recommended that the Shopper's route be eliminated, and commented that the Explorer route, a six and one-half hour shift for drivers, often has no riders. Mr. Lau said he believes reported ridership numbers are skewed because one rider is recorded as two riders. Mr. Lau made a presentation on ways Blacksburg Transit

could make the Christiansburg bus routes more practical. Mr. Lau said his presentation didn't use statistics, graphs and charts, but instead, his experience and observations as a driver. Mayor Ballengee thanked Mr. Lau for his comments.

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. Town Council action on:
 - a. Conditional Use Permit request for the Christiansburg Farmer's Market at 100 Radford Road, B-3 General Business zoning. Councilman Vanhoozier made a motion to accept the Planning Commission's recommendation to issue the Conditional Use Permit with sixteen conditions. Councilman Stipes seconded the motion. Councilman Vanhoozier noted that the farmer's market will not be required to obtain a business license because the business owning the property on which the farmer's market will operate does have a business license. Councilman Hall, along with Attorney Jim Guynn, recommended the wording in the CUP condition outlining hours of operation be changed from "sundown" which is vague and open to opinion, to "sunset" which has a set time. Council agreed and Councilman Vanhoozier amended his motion to reflect this change and Councilman Stipes seconded the amended motion. Councilman Hall said he appreciates the citizen initiative and involvement. Mayor Ballengee thanked Councilman Huppert and local business owner Tacy Newell Foutz for their leadership in organizing the farmer's market. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
 - b. Zoning Permit request by LAS Trucking and Construction, Inc. (agent for property owner Harmon Investments Co., LLC) for contractor equipment storage and an equipment garage at the end of Prospect Drive (tax parcel 500 – ((A)) – 5L) in the I-2 General Industrial District. Councilman Vanhoozier made a motion to approve the zoning permit with the conditions as defined in the permit. Councilman Showalter seconded the motion. Councilman Stipes asked the Planning Commission if the specific business that, in 2009, said it would be forced to relocate if the concrete business was allowed, was aware of this request. Planning Director Wingfield and Town Planner Hair replied that the company (Seabold Security) had been notified of the zoning request and the Town has received no response. Councilman Barber said part of his concern with the cement plant was the use of raw materials that would produce dust and production residue, and that vehicles weren't as much of a concern. Councilman Vanhoozier said his is comfortable if they were notified and no response was received. Councilman Stipes agreed. Regarding the condition governing discernible noises, Councilman Barber asked that a clause be added to allow for emergency situations that may arise overnight, such as snow removal. Councilman Vanhoozier amended his motion to include this addition, seconded by Councilman Showalter. Town Clerk Stipes polled Council as follows: Barber –Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier - Aye.
2. Councilman Stipes and Councilman Vanhoozier – Street Committee recommendation on:
 - a. Request to close the intersection of Depot Street and Cambria Street on May 7, 2011 for the Depot Days Festival. Councilman Stipes reported that the Street Committee met to discuss this matter with Wayne Nelson, Engineering Director, and Captain Chris Ramsey. The Street Committee is comfortable recommending this closure, assured that public safety needs will be met. Councilman Stipes made a motion to close the intersection of Depot Street and Cambria Street, and a portion of Cambria Street to Montgomery Street, on May 7, 2011 from 9:00 A.M. to 5:00 P.M. Councilman Stipes reported that more information will be forthcoming. Councilman Vanhoozier seconded the motion, commenting that the festival organizers have put a lot of effort into this event and have contacted neighboring business, and Norfolk and Southern. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
3. Discussion regarding the third employee furlough day. Councilman Barber reported on information learned during the most recent Finance Committee meeting. The Town's adopted budget projected a 1.4 million dollar deficit to come from reserves, and according to recent information provided by the Treasurer's Department, projected revenues are up almost one hundred thousand dollars. The Treasurer's Office prepared an itemization of savings from each department due to cut-backs, which totaled hundreds of thousands of dollars projected through the end of the year. The savings are the direct result of the diligence of department heads and employees. Councilman Barber noted that some of the items budgeted will not be completed or delivered this year, for example the Alleghany Street water and sewer project, and two ambulances for the Rescue Squad. Town staff is currently working on the FY 2011 - 2012 budget, with the next Finance Committee meeting scheduled for April 15 at 8:00 A.M. The Finance Committee has seen all revenue projections and is waiting to receive the expense projections. The budget is being prepared using priority based budgeting. Councilman Barber said, with this encouraging news, the Finance Committee recommends the Town forgo the third furlough day, which is projected to save forty-five thousand dollars. Councilman Barber made a motion to forgo the third employee furlough day, seconded by

Councilman Stipes. Councilman Vanhoozier said he originally pushed for furlough days and recalled that, at the time the three furlough days were imposed, Council stated it would review the decision in the future for necessity. Councilman Vanhoozier said he studied the provided information, concurs with the numbers provided, and supports suspending the third furlough day. Councilman Hall said he thought this matter was discussed at the last Council meeting, and that Council decided to postpone the furlough day by several months in order to obtain a more accurate view of the Town's financial situation. Councilman Hall said he originally voted against the furlough days, but, because of financial concerns, won't support this request. Councilman Hall said he supports suspending the third day as previously discussed. Councilman Vanhoozier said he suggested delaying the furlough day a month at the last meeting, but believes information provided by the Treasurer's Office supports suspending the day. Councilman Showalter said he has heard a lot of projection and guess work tonight, questioning considerations such as the increasing cost of gasoline. Councilman Showalter said he supports postponing the furlough day to the end of the year, at which time Council will have definite idea of the Town's financial situation. Interim Town Manager Helms reported that if another furlough day is taken, deductions will begin on employee salaries the first paycheck in May to avoid hardship. Referring to the information provided by the Treasurer's Office, Councilman Showalter said the majority of savings comes from delays in hiring positions and carryover items from this year to next. Councilman Showalter requested information about the Fire Department HVAC system upgrade, a budget item being carried over into two budget cycles. Councilman Vanhoozier pointed out that the projections supporting this request are based on real numbers. Councilman Hall said he wants time to come to the same conclusion as other Council members by meeting with Interim Town Manager Helms and thoroughly reviewing the information provided by the Treasurer's Office. Councilman Barber stated he is comfortable with the information provided by Finance Director Val Tweedie, and that much time was spent during the Finance Committee meeting discussing and reviewing each department and the submitted information. After further discussion, Councilman Vanhoozier called for the question. Town Clerk Stipes polled Council on the motion as follows: Barber – Aye; Hall – Nay; Huppert – Nay; Showalter – Nay; Stipes – Aye; Vanhoozier - Aye. Mayor Ballengee noted the tie vote. Mayor Ballengee said when Council initiated the furlough days, the employees accepted it; eliminating the third day will create a much better morale among employees, and Mayor Ballengee voted Aye to approve eliminating the third employee furlough day. Councilman Hall said he believes those voting nay on the motion, did so out of the desire for additional reporting and review time, not out of lack of support for the employees. Councilman Huppert and Councilman Showalter agreed with Councilman Hall's comment, asking for additional time.

TOWN MANAGER REPORTS:

MONTHLY BILLS – On motion by Councilman Barber, seconded by Councilman Vanhoozier, Council voted to approve the monthly bills to be paid on April 8, 2011, in the amount of \$1,079,904.53. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

PUBLIC HEARING REQUEST(S) – Interim Town Manager Helms presented the following requests and recommended setting the Public Hearings for May 3, 2011.

1. Request to amend the Christiansburg Town Code to allow antique shops with a Conditional Use Permit in the R-3 Multi-Family Residential District.
2. Contingent upon the above Town Code amendment request, a Conditional Use Permit request for an antique shop on Park Street in the R-3 Multi-Family Residential District.
3. Rezoning request, 735 Peppers Ferry Rd NW, R-2 Two-Family Residential to B-3 General Business District.
4. Conditional Use Permit request for a 94' monopole at 100 New River Rd in the B-3 General Business District.
5. Rezoning request from B-3 General Business District to R-1 Single-Family Residential, 155 Dunlap Drive.

On motion by Councilman Barber, seconded by Councilman Hall, Council voted to set the Public Hearing for May 3, 2011. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

Interim Town Manager Helms reported that a Planning Commission training session has been scheduled for April 11, 2011 at 7:00 P.M. During the meeting, Planning Commission members will learn about Freedom of Information Act and Conflict of Interest guidelines. Council members are invited to attend and the session will be posted as a Council work session.

Interim Town Manager Helms reported that the Christiansburg Aquatic Center will be closed August 8 - 27, 2011 for annual maintenance.

Interim Town Manager Helms reported that the Christiansburg Civic League has taken on a project to improve the Kyle Cemetery located on Pepper Street. A survey has indicated that Montgomery County and Christiansburg are joint owners of the property. The local 4-H Club has offered to assist in the clean-up of the cemetery. The Christiansburg Civic League is asking for permission to proceed with its plans, which include fencing the lot and identifying graves and providing markers. Fundraisers will help with the costs. Councilman Barber suggested they may want to contact Montgomery County regarding fencing because the fencing around the Blacksburg Middle School site will be donated once it is no longer needed. Megan Dorsett, President of the Christiansburg Civic League, provided additional information on this project, reporting that property clean up began last weekend.

Mayor Ballengee reported that a Finance Committee meeting is scheduled for April 15, 2011 at 8:00 A.M. and a Special Meeting of Council is scheduled for April 26, 2011 at 6:00 P.M. to work on the FY 2011 – 2012 budget.

After conferring with Council, Mayor Ballengee will schedule a Special Meeting of Council to recognize various Christiansburg High School championships. The meeting will be held at the Christiansburg Aquatic Center if available.

Interim Town Manager Helms asked Council to proceed with plans for the Huckleberry Trail by contracting with engineers to design the trail extension from the proposed bridge over Route 114 to the Christiansburg Recreation Center, using funds from the Renva Knowles Estate. Interim Town Manager Helms reported that once the trail is designed, the Town can use transportation enhancement funds to build the trail. Councilman Vanhoozier said that at one time it was said the Renva Knowles Estate money would be used to build the bridge, but if VDOT builds the bridge, the Estate funds could support building the trail. Interim Town Manager Helms said VDOT has the Huckleberry Trail bridge in its construction plan for next year; the Town has paid for design and VDOT will construct. Councilman Vanhoozier made a motion to authorize Interim Town Manager Helms to proceed as requested, contingent on the Huckleberry Trail bridge being included in VDOT's construction plans. Councilman Hall seconded the motion. Councilman Stipes noted that the Town has received two years of Transportation Enhancement funding totaling approximately \$370K, and hopes to hear favorably on Year 3 (FY 2011/2012) this month (April 2011). He noted that although noteworthy progress has been made by Town Staff and Friends of the Huckleberry to extend the trail from the previous trailhead near Sears at the NRV Mall up to Route 114, that none of the Transportation Enhancement funds have been used. This has caused our present Transportation Enhancement application to receive a lower scoring and priority by VDOT Staff, and if significant construction progress does not take place before October 2011, funding for future years will be jeopardized. Councilman Stipes also noted that the Renva Knowles Estate money should continue to fund the plan development of the trail's extension to the Recreation Center so that a significant construction project can be advertised and begin before October 2011. With this update by Councilman Stipes, Councilman Vanhoozier withdrew his motion and Councilman Hall withdrew his second. Councilman Showalter made a motion to authorize Interim Town Manager Helms to enter into an agreement with a design firm to design the Huckleberry Trail from the bridge to the Recreation Center at a cost not to exceed two hundred thousand dollars from the Renva Knowles Estate. Councilman Huppert seconded the motion and Town Clerk Stipes polled Council as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Abstain; Vanhoozier – Nay. Councilman Vanhoozier noted during the discussion that his concern is that the decision was made by Council to fund the design and construction of the bridge with money from the Renva Knowles Estate to meet requirements of the will, and now the money is being reassigned to fund something different. Councilman Vanhoozier stressed that he is not voting against proceeding with extension of the trail.

ADJOURNMENT:

There being no further business to bring before Council, the meeting was adjourned at 10:26 PM.