

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF JULY 1, 2008 AT 7:30 P.M.**

A REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT THE CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VA, ON JULY 1, 2008 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Ballengee, Councilmembers Barber, Canada, Carter, Huppert, Stipes, and Wade. COUNCIL MEMBERS ABSENT: None. Also present Town Manager Terpenny, Assistant Town Manager Helms, Town Clerk Stipes, and Town Attorney Guynn.

MAYOR BALLENGEE stated there was a quorum present of Council Members.

PLEDGE OF ALLEGIANCE led by Mayor Ballengee.

**REGULAR MEETING**

MAYOR BALLENGEE called the Regular Meeting of Council to order and asked if there were any additions or corrections to the Minutes of June 17, 2008. Councilman Wade made a motion to approve the minutes as presented, seconded by Councilman Barber. Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

**CITIZEN HEARINGS:**

MAYOR BALLENGEE opened the Citizen Hearings for those desiring to address Council.

POLICE CHIEF SISSON TO ADMINISTER OATH OF OFFICE TO NEW POLICE OFFICERS – Chief Sisson thanked the Mayor and Council for the opportunity to come before them, and then introduced the three new police officers and two new communications officers. The new police officers are: Eight-year officer, Gary Seagraves; eight-year officer, Maureen Detrich; and Brandy Smith, who worked as a Christiansburg police dispatcher for three years and now attends the police academy for patrol. The newly hired communications officers are Tina Mays, who is certified as a communications officer, and Jackie Stilwell. Each took the Oath of Honor, and Chief Sisson told them that they are expected to abide by the oath while employed by the Christiansburg Police Department. Mayor Ballengee thanked Chief Sisson and called a brief recess to allow the Council members to meet the officers.

LISA LUCAS GARDNER addressed Council regarding downtown parking (discussion will take place during the Street Committee report). Ms. Gardner proposed a thirty minute limit on parking at the post office, one-hour parking along Franklin Street, and two-hour parking along Main Street. She asked that violation fines be substantial.

MR. JOSEPH STANLEY asked if there was any way to reduce the amount of noise on the property located behind his home, generated by University Travel. The business runs buses all during the night, and the noise and pollution is constant. Mayor Ballengee said he is familiar with this matter because of a letter he received from Mr. Stanley's father-in-law, Phil Reed. Mayor Ballengee has responded to Mr. Reed's letter, and suggested that Mr. Stanley notify the Police Department of excessive noise. Council will further discuss this matter later in the meeting.

There being no one else to address Council, MAYOR BALLENGEE closed the Citizen Hearings.

**DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:**

MR. STIPES AND MR. CANADA – Street Committee Report on:

1. Downtown Parking. Councilman Stipes reported that the Street Committee met before tonight's council meeting to discuss information gathered from its review, and to receive public input, on the best way to address downtown parking concerns. Councilmen Stipes and Canada both learned through interviewing downtown business owners that there is a positive response to the parking meter removal; however, most agree that a time-limit would benefit merchants and customers. Councilman Stipes commented that it is important not to compromise the downtown beautification efforts and that any signage should be welcoming and attractive. Councilman Stipes said the Street Committee recommends a two-hour time

limit in the downtown area, including the square, but excluding the post office property, which has an established time limit. In addition, the Street Committee is recommending that further study be done in the "burdened" areas, with possible future recommendations. Councilman Stipes further commented that Chief Sisson has indicated his intent to increase foot patrols in the downtown area to increase involvement, save gas, and to monitor the parking situation. Ms. Jamie Bond, a downtown merchant, spoke in opposition of a general, broad time-limit for downtown parking. She said she understands the need for limited parking around the courthouse, but, in her barber shop business, two hours can be an inadequate amount of time to conduct business. She believes the parking problems are because of heavy construction vehicles and downtown employees parking along Main Street, instead of in rear employee parking lots. Ms. Bond said that a time-limit, with penalties, is like penalizing citizens for shopping and spending time in the downtown area. Another downtown business owner had comments similar to Ms. Bond's. Councilman Canada said that one of the challenges faced by the Street Committee was how to prevent construction workers and employees from using Main Street parking. Councilman Wade said he has concerns similar to Ms. Bond's, but will support the two hour limit on a trial basis, with the option to reconsider in the future. Councilwoman Carter said she reluctantly supports the recommendation, but wants the Street Committee to reconsider the time-limit for parking in the square, which is the most burdened area downtown because of courthouse parking. Councilman Barber asked about the effective date and commented that a firm violation fee should be in place at inception, and that the Montgomery County judge should be notified of the change. Councilman Stipes commented that the penalty phase is not included in the recommendation, but will be considered by the committee for future recommendation. Mayor Ballengee directed the Street Committee to review and make a recommendation regarding violation fines, and to prepare for an effective date of September 1, 2008. Manager Terpenny commented that State Code will provide some guidelines for penalties.

#### TOWN MANAGER REPORTS:

MONTHLY BILLS – On motion by Councilman Wade, seconded by Councilwoman Carter, Council voted to approve the monthly bills to be paid 10 July, 2008, in the amount of \$1,509,728.48. AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

MANAGER TERPENNY reported that Mr. Wayne Booth's term on the Planning Commission has expired. Mr. Booth is a valuable asset to the Planning Commission and has agreed to serve another term. Councilman Barber made a motion to reappoint Mr. Booth to serve another term on the Planning Commission, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

PUBLIC HEARING REQUEST – Town Manager Terpenny presented the following request and recommended setting the Public Hearing for August 5, 2008:

1. Rezoning request, Montgomery Street, R-2 Two-Family Residential to B-3 General Business District.

On motion by Councilman Barber, seconded by Councilman Stipes, Council voted to set the Public Hearing for August 5, 2008. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER TERPENNY read a letter received by the Town, from the Montgomery County Chamber of Commerce, requesting a meeting with representatives of Council, and the Chamber board, to discuss Christiansburg's intent to renegotiate its tourism initiative contract. Mayor Ballenge and Town Manager Terpenny will meet with the Chamber board on Council's behalf, on a date arranged by the Town. The Town will provide an agenda for this meeting. During Council's last discussion Councilman Canada expressed his desire for an audit of the TDC. He again mentioned this concern and asked if progress has been made in arranging for an audit. Councilman Barber attended the recent Chamber board meeting and he replied that the Chamber is in negotiations with a firm to perform an audit. Councilman Canada commented that the audit needs to be performed by a firm not associated with the Chamber. Councilman Wade commented that it is important to determine how the Town will spend tourism funding, before setting a cap. Councilman Barber said he envisions the money funding events such as Backyard Brawl, Cruisin' Christiansburg, etc. With the additional funding provided through a cap, the Town will not have to rely solely on the Chamber for tourism marketing.

TOWN MANAGER TERPENNY, on behalf of Chief Sisson, brought before Council the opportunity to inherit a bloodhound for Police Department use. The eight month old bloodhound, currently in Vermont, is a trained tracking dog. The Police Department currently has a police dog that is used for tracking drugs and dangerous criminals, but can not be used as a tracking dog for suspects, missing persons, etc. There are no trained bloodhounds in the New River Valley, and this dog will also provide tracking service for the County, Blacksburg, Radford, and Virginia Tech. Christiansburg Police Department called in the Bland County bloodhound during a recent, local crime and it was four hours before the dog arrived, which made tracking the suspect

difficult. Christiansburg officer, Steven Kilby, is a certified handler and will keep the dog at this home. He currently has a car kennel and will only need a three hundred dollar kennel for his home. Three hundred dollars will be needed to train the bloodhound, annually. The Police Department has four thousand dollars budgeted for animal care. Councilman Barber made a motion to approve acquisition of the trained bloodhound in Vermont, seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

TOWN COUNCIL FURTHER DISCUSSED the matter brought before them during the Citizen's Hearing by Joseph Stanley. As mentioned by Mayor Ballengee, the Town received a letter from Mr. Phil Reed addressing the matter of excessive noise late into the night at the business located behind his daughter's property. According to the Town Manager, in October 2006, Town Council denied a request to vacate a portion of Red Oak Drive because one of the adjoining property owners needed Red Oak Drive as access to his garage to store his large recreational vehicle. Since that time, that property owner has leased the site to University Travel, which is a local bus service. The property is zoned B-3 General Business District and the business operating at the site conforms to the guidelines set for B-3 zoning. Mayor Ballengee stated that was not Council's intent to create a hardship for the property owners when the request to vacate was denied. Councilman Canada commented that if the street vacation were requested a second time, Council could approve the vacation, which would, in effect, result in an inadequate access for buses. Councilman Wade suggested sending a letter to the property owner of Council's intent to vacate Red Oak Drive. Since the property is being used in compliance with Town Code, Mayor Ballengee turned the matter over to Attorney Guynn for review and recommendation.

TOWN MANAGER TERPENNY addressed Council regarding possible rate changes by Appalachian Power. Appalachian Power has requested a twenty-four percent base rate increase, along with an additional two percent rate increase in Environmental and Reliability charge. Manager Terpenny serves on the VML/VACO Steering Committee that reviews rate change requests. Mr. Terry Hall has offered to come before Council to give details of the petitions by Appalachian Power and to answer questions. Mayor Ballengee said he would set a date for the presentation.

TOWN MANAGER TERPENNY further discussed with Council the cell phone tower opportunity originally discussed at the June 17<sup>th</sup> regular Town Council meeting. Typically, cell companies are given a ten year lease, then renegotiated every five years, up to twenty years. The cell company being discussed has requested an automatic renewal up to the twenty years, and has offered an incentive for consideration of the request. The incentive would be used for recreational development. Councilman Barber met with the Recreation Commission and presented this matter for discussion. The Recreation Commission unanimously recommends the incentive funds be used to complete the Christiansburg Skatepark through Phase II. Manager Terpenny commented that Attorney Elizabeth Dillon was involved with drawing up the original contract, and she has reviewed this request and has found that accepting the incentive does not change the Town's obligations laid out in the original contract. This request was brought about by the company's need to refinance country-wide. Councilman Barber made a motion to use the incentive funds derived from this negotiation for completion of the Christiansburg Skatepark through Phase II, pending approval of the request for an extended twenty year contract. Councilman Huppert seconded the motion and Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None. Councilman Barber made a motion to approve the cell company's request for automatic renewal up to a twenty year lease, seconded by Councilwoman Carter. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

MANAGER TERPENNY asked Council for guidance on the matter of irrigation meters brought before them by a resident. Councilman Barber said he has received information from Blacksburg and Radford on their meter policies. Both localities have irrigation meters as part of their water department service. Blacksburg has over eight-hundred in use; Radford has approximately fifty in use. Considering his review, Councilman Barber recommended, as a pilot program, that Christiansburg purchase twenty-five irrigation meters, to be sold, not rented, at a cost of one hundred twenty-five dollars. Users will be required to bring the meters in once per year during the month of October to be read, or a discount will not be given. Limit one per household to the first twenty-five applicants. The meters can not be returned to the Town. Manager Terpenny commented that if the program becomes effective next year, it will give town staff a chance to set guidelines for usage. The program will directly affect operations in the water department and treasurer's department. Mayor Ballengee commented that the cost to the Town in money and labor also needs to be reviewed. Councilman Barber recommended implementing this program in Spring 2009. Councilman Canada made a motion to adopt the recommended pilot program to take effect in Spring 2009, seconded by Councilman Wade. Council voted on the matter as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 9:34 P.M.

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July 1, 2008

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor